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IN THE

Supreme Court of the United States

OCTOBER TERM—1935
No. 838

FREDERICK L. MOREHEAD, as the Warden of the City Prison in the Borough of Brooklyn,
Appellant,

against

PEOPLE ex rel. JOSEPH TIPALDO,
Appellee.

FACTUAL BRIEF FOR APPELLANT

Economic Background of Article 19, Labor Law, Chap. 584, Laws of 1933.

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"* * * a regulation valid for one sort of business, or in given circumstances, may be invalid for another sort, or for the same business under other circumstances, because the reasonableness of each regulation depends upon the relevant facts."

Roberts, J. in *Nebbia* v. *People*, 291 U. S. 502, 525.

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INTRODUCTORY STATEMENT

Social, economic and physical factors give rise to legislative action. It is now accepted that such facts may be gleaned by the courts from all public and available sources. Judicial precedent and decisions are not the sole source of information, nor the only guide which the courts may adopt in reaching a conclusion in legislative matters. Widespread beliefs, economic facts from reliable researches, literature of established value, matters of general knowledge, results of special studies into peculiarly pertinent questions, all these are proper material where a question may be debatable or debated and facts lie at the basis of the statutory action.*

This factual presentation of material, prepared from well known and reliable sources of information, compilation of which has been expedited in preparation so as to be available to this court, contains evidence of conditions which must be deemed to have been in legislative contemplation. Notwithstanding the strong presumptions of constitutionality, of legislative inquiry, and of the existence of facts warranting the legislation contested, the legitimacy of the end of the statute and the reasonableness of the method adopted to accomplish the end are better appreciated with the presentation of the facts themselves.

The following pages are devoted to a collation of the general and specific facts portraying the position of women in industry and the sources from which they are gathered. They are respectfully submitted to this court as pertinent in the discussion of the legal issues presented by the appeal herein.

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* *Muller* v. *Oregon*, 208 U. S. 412, Brewer, J.; *Peo.* v. *Perretta*, 228 App. Div. (N. Y.) 420, 422; *Peo.* v. *Schweinler Press*, 214 N. Y. 395; *Coty, Inc.* v. *Hearn*, Special Term, Rosenman, J., N. Y. Law Journal, Nov. 26, 1935.

The deepest appreciation is herein expressed by the Attorney General to the following members of the staff of the New York State Department of Labor for their incalculable aid and diligent efforts in preparing the material herein:

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I. WAGE EARNING WOMEN CONSTITUTE A LARGE AND GROWING ELEMENT IN THE WORKING POPULATION OF THE STATE. THEY OCCUPY THIS POSITION BECAUSE OF THEIR NEED FOR SUPPORTING THEMSELVES AND THEIR DEPENDENTS.

1. During the past 30 years there has been a steady increase in the number of employed women and in the percentage they form of all gainfully occupied persons in the State.

The United States Census shows that the number of gainfully employed women in New York State has more than doubled since 1900. (See Chart I.) In spite of the decline in child labor during this period, the number of employed females 10 years of age and over has increased as follows:

1900	672,045
1930	1,415,105

Of every 100 females 10 years of age and over, 23 were gainfully employed in 1900 and 27 in 1930.[1]

The increase in the number of gainfully occupied women has been greater, proportionately, than that of men. Consequently of every 100 persons in the working population of the State in 1930, approximately 26 were women and girls, as compared with 22 in 1900.[2]

[1] See Appendix, Table I.
[2] See Appendix, Table II.

2. Although women wage earners are still considerably younger, on the whole, than men, the old idea that women are transients in industry and work only for a few years before marriage is not supported by fact. There has been a growing tendency for women to continue working after marriage and to remain employed for long periods.

The average[3] age of gainfully employed women in New York State has increased from 25 in 1900 to 30 in 1930. Of every 100 employed women, 61 were at least 25 years of age in 1930, as compared with only 50 in 1900. This change in age distribution has been due in part to the decrease in numbers of very young workers, but it is also to be attributed to the growing numbers of women who have remained at work into middle age and beyond. In 1930, 29 per cent of all women in the State between the ages of 25 and 45 were working, and approximately 17 per cent of all those 45 years and over.[4] The percentage which gainfully occupied women formed of all women in each of the various age groups in 1900 and in 1930 was as follows:

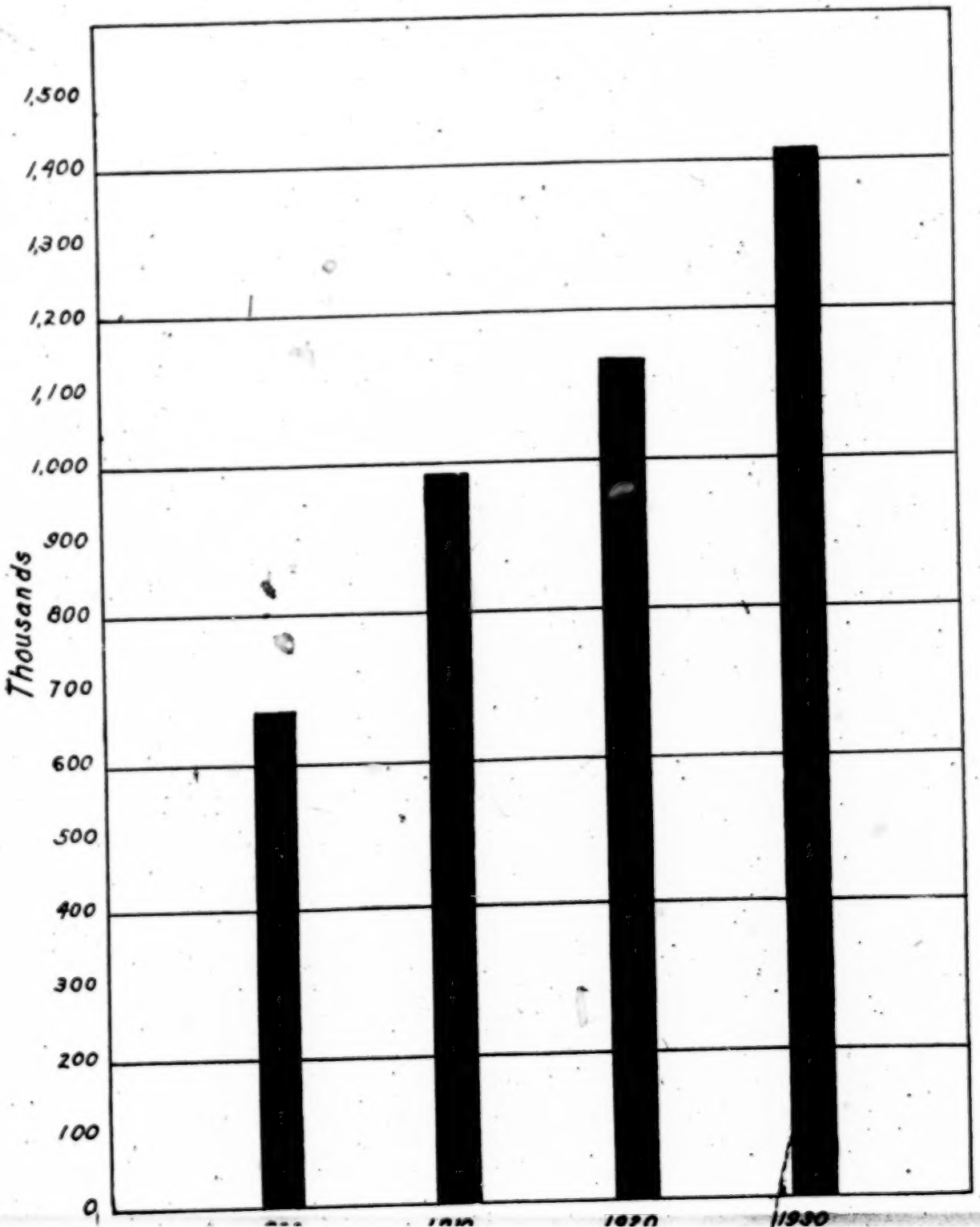
	1900	1930
10 to 24 years	32.4	33.4
25 to 44 years.....	21.6	29.1
45 years and over.....	12.2	16.8

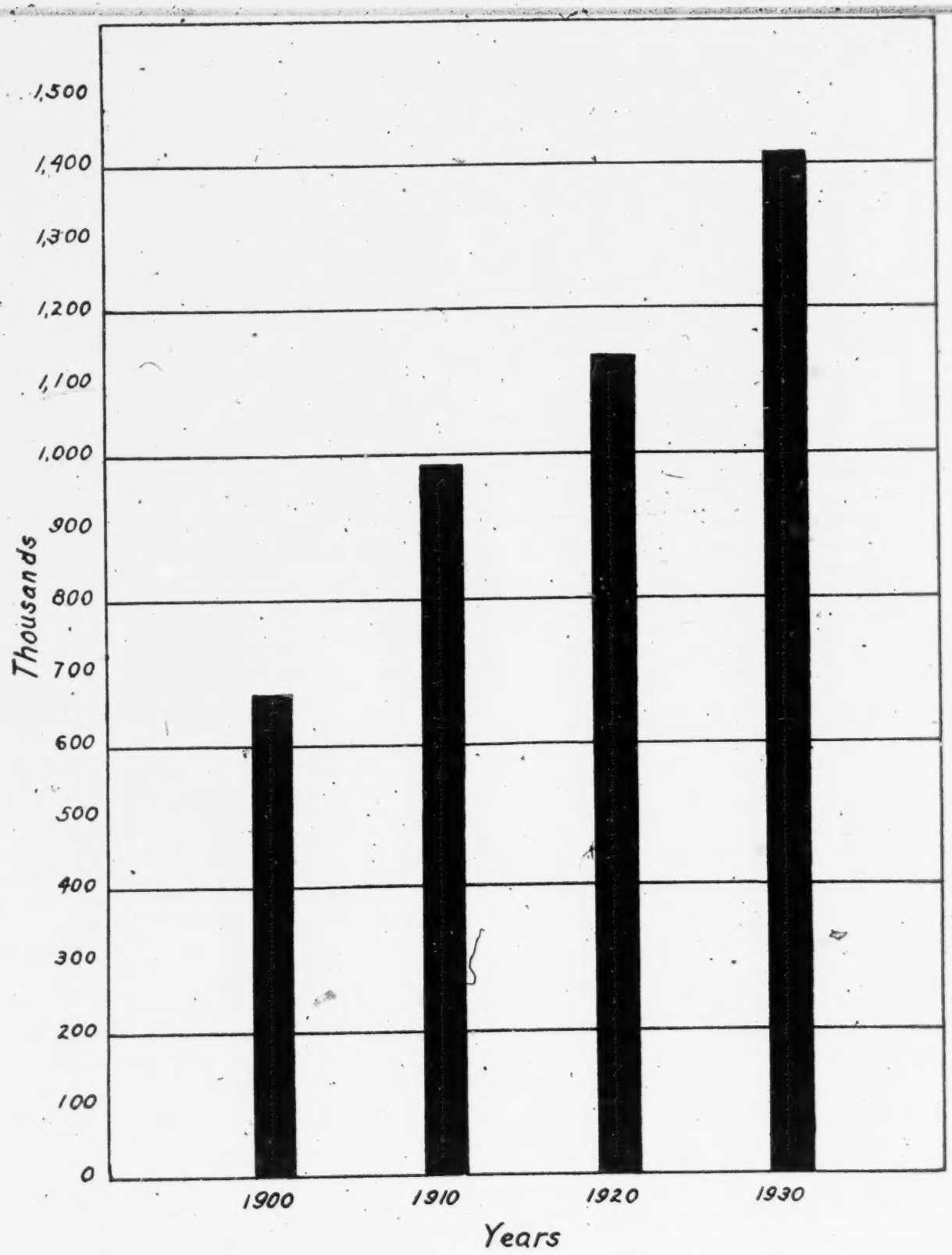
That women go to work with the intention of remaining there only a short time has been disproven by numerous studies of the duration of employment of women workers. Since such studies

[3] The type of average used here, and throughout the report except where otherwise noted, is the median. By definition the median is the mid-point in a series of items arranged in order of magnitude, half the items being above and half below this point.

[4] See Appendix, Table III.

CHART I - FEMALES 10 YEARS OF AGE AND OVER GAINFULLY OCCUPIED IN NEW YORK STATE 1900 - 1930





From Fifteenth Census of the United States, 1930 – (See Appendix, Table I)

have been limited to the length of time women have been employed in the same industry or by the same firm, the information obtained on this point is an understatement and by no means indicates the total number of years these women have been working, particularly in the case of women employed in unskilled jobs. A group of packers in a candy factory, for instance, may have been employed in numerous other industries throughout the course of their working lives, but no data are available to show how long they have been gainfully employed since beginning work. Investigations made by the Women's Bureau of the United States Department of Labor, the New York State Department of Labor and other agencies, of the duration of employment in various industries show, however, that considerable proportions of women have been employed in the same industry or by the same firm for long periods.

16 *Duration of Employment in the Same Industry*[1]

Industry and locality	Date	Per cent of women employed in the same industry	
		5 years and over	10 years and over
17			
Hotels and restaurants—New York State	1934	[2] 25.6	[2] 7.0
Beauty shops—4 cities	1933	54.3	21.4
Glove industry — Fulton County, N. Y.	1933	[2] 23.8	[2] 9.2
Cigar industry—11 states	1929–30	51.1	28.6
Cigarette industry—5 cities	1929–30	52.3	25.7
18 Slaughtering and meat packing industry—13 cities	1928	52.5	18.6
Various industries—industrial women attending adult education classes	1928–30	[3] 76.6	[3] 37.7
	1925	[4] 99.0	[3] 47.4
Various industries — Manchester, N. H.	1919–20	40.7	19.3
Millinery industry — New York City	1914	57.8	22.9
19 Shirt industry—New York State	1913	31.5	14.4
Paper box industry—New York State	1913	34.9	14.7
Candy industry—New York State	1913	22.2	8.6

[1] Based on Table IV, Appendix.

[2] These figures apply to length of employment with the same
20 firm.

[3] These figures apply to length of employment "in industry", not necessarily in the same industry.

[4] Includes women with 4 or more years' experience "in industry."

The growing tendency for women to remain at work after marriage has been a factor in the increasing age of women wage earners and the

duration of their employment. Census figures show that the number and proportion of married women workers have increased with each decade. (See Chart II.) In 1890, less than four of every 100 married women in the State were gainfully employed. By 1930 the proportion had increased to 12 out of every 100,[5] and married women comprised almost one-fourth (23 per cent) of all gainfully occupied women and 27 per cent of those in manufacturing and mechanical industries.[6]

Because of the widespread interest in the employment of married women and the numerous problems involved, many studies have been made of the marital status of wage earning women in various industries and occupations. These indicate that there is greater concentration of married women in some industries than in others. Figures on the proportion of married women as shown by various studies are as follows:

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[5] See Appendix, Table V.

[6] United States Department of Commerce, Bureau of the Census, *Fifteenth Census of the United States, 1930, Population, Vol. IV, Occupations, by States*, p. 1164.

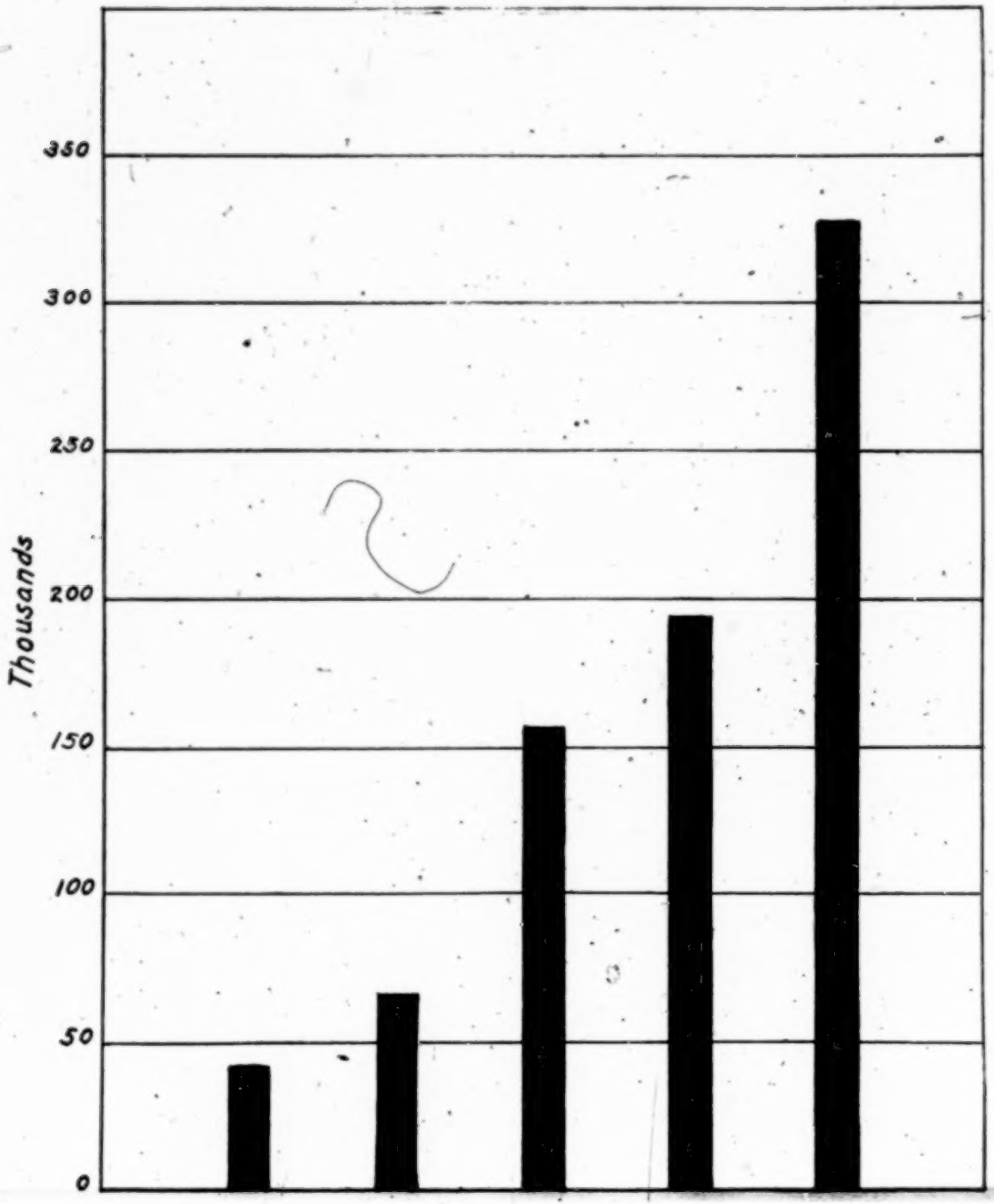
Proportion of Married Women in Various Industries, 1913–1934[1]

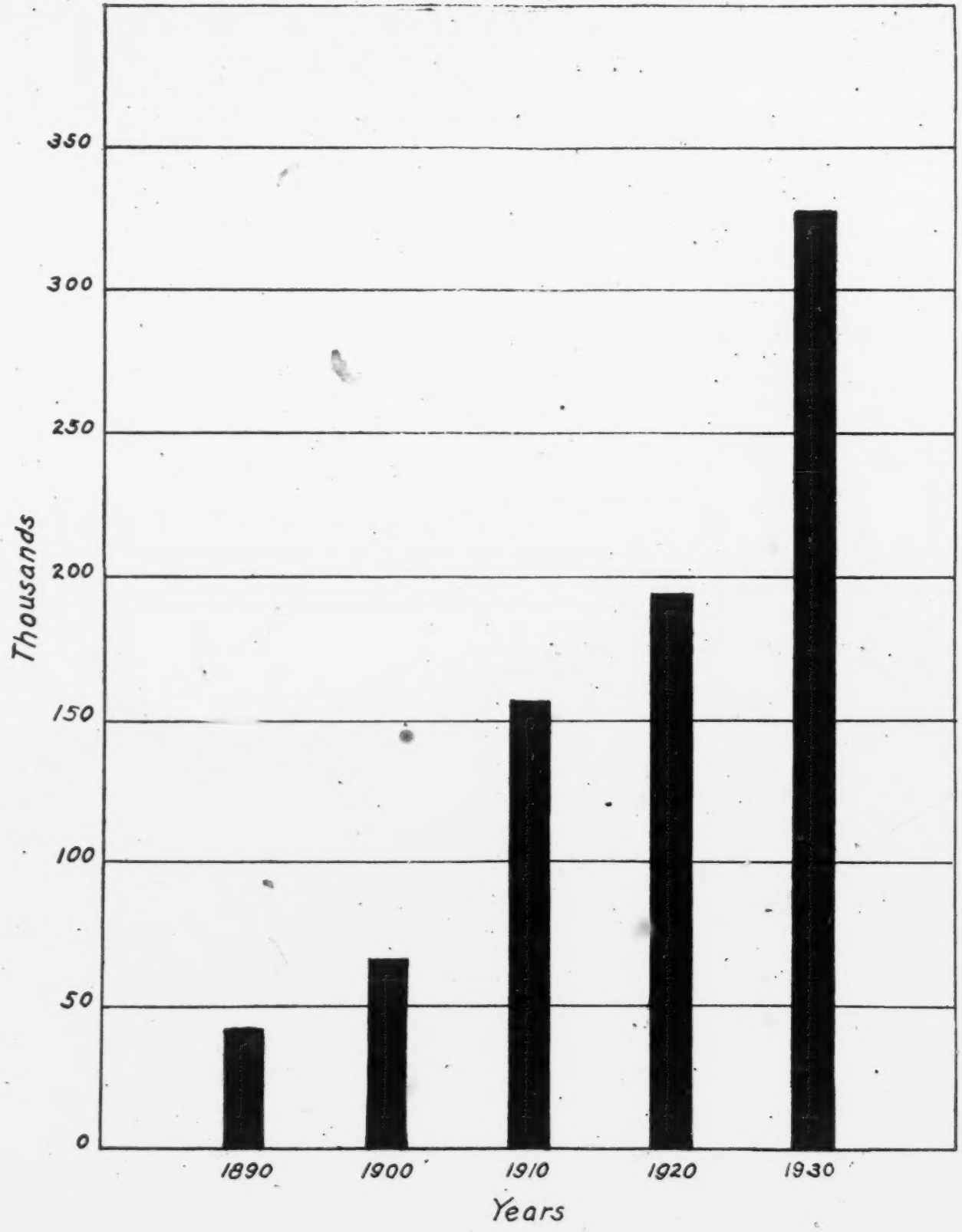
Industry and locality	Date	Per cent of married women
Hotels and restaurants—New York State	1934	29.9
Beauty shops—4 cities	1933	23.7
Glove industry—Fulton County, N. Y.	1933	40.0
South Bend, Ind.		
All industries	1930	43.7
Manufacturing industries	1930	48.9
Clerical	1930	22.4
Sales	1930	39.7
Cigar industry—11 states	1929–30	39.3
Cigarette industry—5 cities	1929–30	38.6
All industries—Newburgh, N. Y.	1929	28.5
Binghamton, N. Y.		
All industries	1926	48.2
Manufacturing industries	1926	51.1
Laundries	1926	54.9
Mercantile establishments	1926	32.8
Restaurants	1926	46.4
5 and 10 cent stores—New York City	1921	23.0
Millinery industry—New York City	1914	5.4
Button industry—New York City	1913	3.1
Shirt industry—New York State	1913	11.1
Paper box industry—New York State	1913	5.5

[1] Based on Table VI, Appendix.

It is the practice of the Bureau of the Census to classify as married women only those who are living with their husbands, and to include in separate categories those who are widowed, separated and divorced. The same classifications were followed in the special studies referred to, and for this reason the above figures are an understatement of the extent to which women with family

CHART II - MARRIED WOMEN 15 YEARS OF AGE AND OVER GAINFULLY OCCUPIED IN NEW YORK STATE 1890-1930





From Fifteenth Census of the United States, 1930 - (See Appendix, Table IV)

responsibilities are employed. In 25 studies made by the United States Women's Bureau, covering 169,255 employed women, it was found that nearly half the women were or had been married. In 10 of these studies single women formed less than one-half the group.[7]

[7] United States Department of Labor, Women's Bureau, *Women in Industry*, Bulletin No. 91, 1931, p. 17.

3. Women are in industry and in other fields of employment because they must support themselves and their dependents.

Studies of the economic status of wage earning women show that they are working to support themselves and in many cases also to support others who are wholly or partially dependent upon them.

For the majority of women who are "on their own," without family ties, the only source of income is what they can earn by their labor. No comprehensive statistics are available to indicate the numerical importance of this group of "unattached" women in New York State today. In 1920, however, the Bureau of the Census made a special study of the family relationship of employed women, tabulating the census schedules for such women in 11 cities in various parts of the country according to the living arrangements of the women.[8] As shown in the following table, it was found that women not living with their families or with relatives comprised 27 per cent of the 373,204 gainfully employed women 16 years of age and over:[9]

	Per cent
Living alone	5.9
Boarding or lodging	13.5
Living in employer's family	8.0
Living in family of two or more members	72.6

Rochester, New York, was one of the 11 cities included in the study. The family relationship of

[8] United States Department of Commerce, Bureau of the Census, *Women in Gainful Occupations, 1870 to 1920*, Census Monograph IX, 1929, pp. 122–156.

[9] *Ibid.*, p. 154.

the 36,956 employed women in that city in 1920 was reported as follows:[10]

	Per cent
Living at home as head of family (including women living alone)	10.5
Boarding or lodging or living with employer	22.5
Living with father	30.7
Living with mother	11.9
Living with husband or other relative	24.4

These statistics do not give a complete picture, since women living at home as heads of families were not separated in the analysis from those living "at home" alone. Nevertheless, the figures do indicate that a third of the employed women in Rochester were either living at home as the heads of families or living apart from the family group.

It is sometimes assumed that women wage earners who live with their families are not dependent for their own support upon what they can earn. Studies of the responsibilities of working women living at home show, on the contrary, that a considerable number are the only breadwinners in their families, and that even younger women who are living with parents must contribute a large part of their earnings to the support of the family group.

Women have always shared in the support of their families. In the days of a self-sufficing family economy, they contributed their labor for the home production of clothing, food supplies, and other family needs. With the growth of the

[10] *Ibid.*, p. 141.

industrial system and the substitution of factory made goods for those produced wholly at home, it became increasingly necessary for women to work outside the home in order to contribute in cash their share of the family income.

"While industrial changes have been making it possible for women to become wage earners, the altered economic conditions of the modern family have been making it necessary. Compare the budget of the rural family of two generations ago with that of its city grandchildren today. The earlier family grew its food and prepared it at home, knit its stockings and made most of its clothing, chopped down trees for its fuel. There was no entertainment to be bought, no carfare to be paid. Women often contributed more than men to the real income of the family. . . . A family could well afford to support several 'dependent' women who made its clothing, cooked its food, washed its clothes, and even raised the vegetables and milked the cows.

"But the 'typical working class family' today, we are told, must spend half its income for food, a third or a fourth of it for rent. Then comes clothing—most of it, like the food, bought at the store, much of it ready to wear—gas and electricity, carfare to work, the movies Saturday night, and all the incidentals requisite to living and working in a city. The significant fact is that all of it must be secured in exchange for the pay envelope; all of it reduced to terms of dollars and cents. When the credit side of the family budget included a large percentage of raw materials made up

at home, [the] father produced only one part of the family income. Now that the 'home mades' have almost disappeared, or are costlier to produce than factory mades, can he alone and unaided produce the dollars and cents out of which they must be supplied?'"[11] 51

Regarding the need for women to share in the support of their families, the United States Women's Bureau quotes: 52

"The struggle to live on the husband's wage alone, in most industrial families, is a failure. A canvass of nearly 12,000 families in six industrial sections of Philadelphia in 1918 showed that the majority, 55 per cent, relied on income from other wage earners or from lodgers. Only six per cent of this entire group was of the conventional statistical type, husband, wife, and three children under 16 years of age, supported by the husband alone. 53

"Families not supported by the father alone, as a rule, turn first to the wages of children (18.6 per cent), next to the wages of the wife (17.7 per cent), and third to income from lodgers (15.9 per cent)."[12] 54

Although census figures are available on the family relationship of employed women and the numbers of other wage earners in their families, such figures do not indicate the proportions of women's earnings which are contributed to their families or the extent to which women are called 55

[11] Frances Perkins, "Should Women Take Men's Jobs?", *The Women's Journal*, April, 1930, pp. 8–9.

[12] United States Women's Bureau, Bulletin No. 91, *op. cit.*, p. 19. Quoted from a study by Dr. Gwendolyn Hughes Berry, published in *Annals of the American Academy of Political and Social Science*, May, 1929, pp. 316–317.

upon to support others. For such information we must rely upon special studies which have been made of groups of wage earning women in various localities.

Data on the contributions of working women to their families are available from such sources for as far back as 1888. Of 61,679 women covered in 22 studies made between 1888 and 1923 and summarized by the United States Women's Bureau, only 9 per cent of the women were making no contributions from their earnings to the family income. More than half the women (53 per cent) were contributing all their earnings and 38 per cent contributing part of their earnings to their families.[13]

In order to secure more detailed information on the part played by women in family support, the Women's Bureau made a special study of the share of family support borne by men and women in Manchester, New Hampshire, a textile community in which large numbers of women are employed.[14] It was found that 68 per cent of the women contributed all their earnings to the family, and that the daughters contributed a considerably larger proportion of their earnings than the sons, 60 per cent of the daughters and 35 per cent of the sons contributing all their earnings to the family income:[15]

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[13] United States Department of Labor, Women's Bureau, *What the Wage-Earning Woman Contributes to Family Support*, Bulletin No. 75, 1929, p. 12.

[14] United States Department of Labor, Women's Bureau, *The Share of Wage-Earning Women in Family Support*, Bulletin No. 30, 1923, Part I.

[15] *Ibid.*, p. 59.

	Per cent of— Daughters	Sons
Contributing 50 per cent or more of their earnings	75.6	60.9
Contributing all their earnings	59.9	34.6

In connection with another study made by the Women's Bureau, covering women employed in the meat packing industry in 1928, data were secured in eight cities on the proportion of the family income earned by women who were not the sole support of their families.[16] The average percentage of family income contributed by these women, according to the size of their families, was as follows:

Size of family	*Per cent of family income contributed by the women*
Total	40.6
2 persons	42.1
3 persons	43.1
4 persons	43.3
5 persons	42.4
6 persons	37.3
7 persons	39.0
8 persons	39.9
9 persons	28.3
10 persons	26.3

[16] United States Department of Labor, Women's Bureau, *The Employment of Women in Slaughtering and Meat Packing*, Bulletin No. 88, 1932, pp. 14, 15, 200–202.

66 Regarding the importance of women's earnings to their families the Women's Bureau states:

> "If an employed woman living at home does not earn enough for her own support, she is a financial burden on her family, and to that extent the family—whether able to do so or not—must subsidize both the girl and
67 the industry in which she works. . . . And if the girl's earnings are too low to permit of saving and she becomes ill or loses her job, this fact may be the final cause of submerging an already overburdened family.'"[17]

Even greater is the responsibility borne by
68 women who are the only breadwinners in their families or have others wholly dependent upon them for support. Because of the far-reaching consequences of this situation, many studies have been made of the extent to which women wage earners must support others who are wholly dependent upon them. For example, the
69 Connecticut Department of Labor made a study of the economic status of single women wage earners living with their families in 1915–16 and found that of 2,271 such women, 33 per cent were the only members of the family working.[18] In connection with the study of women in the meat packing industry, referred to above, the Women's Bureau found that 40 per cent of the self-support-
70 ing women had other persons wholly dependent upon them.[19] Data brought together by the United

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[17] United States Women's Bureau, Bulletin No. 91, *op. cit.*, p. 59.

[18] United States Women's Bureau, Bulletin No. 30, *op. cit.*, p. 152.

[19] United States Women's Bureau, Bulletin No. 88, *op. cit.*, p. 200.

States Women's Bureau from similar studies may 71
be summarized briefly as follows:[20]

> Of 16,964 women included in eight studies made between 1912 and 1921, 14 per cent were supporting persons who were wholly dependent upon them.
>
> In a study made by the Women's Bureau in 72
> 1919 covering 1,800 wage earning women, one in three of the single women reported her mother to be entirely dependent upon her and one in seven of the married women was the sole support of herself and husband.

For many women, both married and single, em- 73
ployment outside the home must be combined with
domestic responsibilities. Almost half a million
(414,675) gainfully occupied women in New York
State (29 per cent of all gainfully occupied women
15 years of age and over) were listed by the census
as "home-makers" in 1930; the home-maker was
defined as the member of the family group who
was responsible for the care of the household.[21] 74
Approximately 14 per cent of all women "home-
makers" in the State were gainfully employed;
the proportions in the larger cities were as
follows:[22]

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[20] United States Department of Labor, Women's Bureau, *Wages of Women in 13 States*, Bulletin No. 85, 1931, p. 158.

[21] United States Department of Commerce, Bureau of the Census, *Fifteenth Census of the United States, 1930, Population, Vol. VI, Families*, pp. 923–926. 75

[22] *Ibid.*

	Per cent
New York City	14.2
Buffalo	10.5
Rochester	17.2
Syracuse	15.2
Yonkers	14.7
Albany	14.9
Utica	17.7

Among these are many women with small children who are forced by economic need to seek employment. A special tabulation by the United States Women's Bureau of 1920 census data for four cities showed that of 11,060 breadwinning mothers in these cities, 40 per cent had children under five years of age.[23]

In connection with a special study of the children of working mothers, the Children's Bureau of the United States Department of Labor made a house-to-house canvass in Philadelphia in 1928.[24] Of 12,227 mothers found at home with at least one child under 16, half had been employed after marriage. Of the white mothers, 48 per cent of those with one child and 39 per cent of those with five or more children under 16 had been employed since marriage. Of the negro mothers, 82 per cent of those with one child and 75 per cent of those with five or more children under 16 had been employed since marriage. Eighteen per cent of the women working at the time of the investigation were the only wage earners and an additional 9 per cent were the chief although not the only breadwinners in their families.

[23] United States Women's Bureau, Bulletin No. 75, *op. cit.*, p. 17.

[24] United States Department of Labor, Children's Bureau, *Children of Working Mothers in Philadelphia*, Publication No. 204, 1931.

In other words, it has been shown again and 81
again that large numbers of wage earning women
are responsible for the support of others as well
as themselves and that the welfare of many per-
sons depends upon their pay envelopes. In dis-
cussing this aspect of women's work for wages
the United States Women's Bureau states:

"From the point of view of the family, the 82
woman's earnings bear a large share in sup-
port. Studies in various industrial communi-
ties have shown not only that the great
majority of wage-earning women, whether
single or married, contribute to the support of
others, but that in an appreciable number of
cases women's earnings constitute the entire 83
family budget.

"From the point of view of the individual
working woman, earnings represent a pur-
chasing power that, while dependent upon the
fluctuating value of money, holds under the
existing economic order whatever possibility
of satisfaction she may have in life, since in 84
her case income from other sources is likely
to be nonexistent or at best negligible. And
this is quite as true of the unmarried girl
who lives at home as of the one who lives in-
dependently, for if she does not earn enough
for her own complete support she is subsidized
by her family; and often this very fact may so
reduce their standard that some unforseen or 85
unpreventable circumstance may plunge the
whole family, the girl included, below the sub-
sistence level. In the great majority of cases,
the amount the employed woman can earn by
working during reasonable hours and under

suitable conditions actually does form her only financial support—the sole economic basis of her health, the length of her life, her possibility of bearing and rearing healthy children, and her personal efficiency and happiness.

"The early investigations of B. Seebohm Rowntree, the English economist and manufacturer, made at a time of unusual prosperity in the section of England studied, led to a picture of the average worker as starting life as a child below the poverty line, rising above it in early manhood, sinking below it again as his own children begin to arrive, emerging above it as the children cease to be dependent upon him, and falling below it again as old age approaches.

"For the woman in industry the condition is similar. If she be married, her child-bearing years represent, besides the added expense to the family, an actual decrease in its total income. If she be unmarried, she is often called upon to contribute to the support of younger brothers or sisters, and usually must assist with the support of parents, who, unlike the children of her married sisters or brothers, become, as the years advance, an increasing financial burden."[25]

[25] United States Women's Bureau, Bulletin No. 85, *op. cit.*, pp. 1–2.

II. DATA REGARDING WOMEN'S EARNINGS REVEAL SUCH DISCREPANCIES AND VARIATIONS IN WAGES PAID FOR IDENTICAL WORK AS TO INDICATE THAT NO RELATIONSHIP EXISTS BETWEEN THE VALUE OF THE SERVICES RENDERED AND THE WAGES PAID.

1. Women are paid widely varying rates for the same work. In many industries there are employers who pay wages not commensurate with the value of the services rendered since they are far less than those paid by the majority of the employers for the same work.

In order to determine whether the wages paid to women under similar conditions show conformity to some standard based upon the character of the work or are largely in a chaotic and unstandardized state, the Women's Bureau of the United States Department of Labor brought together and analyzed material from previous Women's Bureau studies and from other reliable sources, regarding variations in wage rates paid to women under corresponding conditions.[26] Plant by plant comparisons were made of the wage rates paid to women or of their actual earnings over comparable periods of time for the same work, in eight important women-employing industries or groups of industries in 17 states, including New York, in 1932 or 1933. The findings of the study were summarized as follows:

> "In each industry examined the wage payments in the typical sample establishments included showed striking differences from plant to plant, even when other conditions

[26] United States Department of Labor, Women's Bureau, *Variations in Wage Rates Under Corresponding Conditions*, Bulletin No. 122, 1935.

96 were as nearly similar as is possible with industrial data, and although in every part of the study all possible efforts were made to select only strictly comparable data. For example, . . . median weekly rates among 28 large New York laundries . . . show[s] a difference of 86.5 per cent from lowest- to
97 highest-paying plant. Even where other factors, such as type of product, size of city, or plant location, were taken into account, comparisons made in plants under conditions as nearly identical as obtainable showed differences in payment so marked as to be attributable only to lack of wage standards."[27]

98 "At least some indication of the value of the work done is shown in the amounts the better-paying employers can afford to give for the job. For others to fall so far below such a standard as frequently appears to be the case creates a situation grossly unfair not only to those who are performing the work
99 but to the better-paying employers as well."[28]

Establishments in two industries in New York State were included in the study: 28 large power laundries employing 1,900 women and 22 underwear mills employing 497 women seamers. In both industries there was wide variation between plants in the wages paid for the same work. The
100 average rates paid to shakers in the laundries for a 48 to 49½ hour week ranged from $14.65 in the plant paying the highest to $6.90 in the plant paying the lowest. One laundry paid all of its shakers between $14 and $18, others paid between

[27] *Ibid.*, p. 4.
[28] *Ibid.*, p. 1.

\$10 and \$16, \$10 and \$15, \$11 and \$14, whereas 101
one of the laundries was paying some of its workers less than \$7 a week and none as much as \$10. Another was paying all of its shakers between \$8 and \$9.

There were similar variations in the wages of women seamers in underwear mills in New York State. The average hourly earnings in the highest 102
paying plant were 38 cents; in the lowest, only 17½ cents. In the plants with the highest wages the average hourly earnings of the women ranged from 20 to 60 cents, from 18 to 60 cents, from 20 to 50 cents. In one plant at the other extreme none of the women averaged as high as 30 cents an hour and some averaged less than 5 cents an hour.

Additional evidence of the variation in women's 103
wages was obtained by the Division of Women in Industry and Minimum Wage of the New York State Department of Labor during the summer of 1935 in connection with a survey of women's wages in five manufacturing industries and in retail stores throughout the State. The extent to which
the average hourly earnings of women varied from 104
plant to plant in these industries and the low wages paid by some employers are shown in Chart III.[29]

For example, in the candy factories covered in New York City, the average hourly earnings of all women employees ranged from 59½ cents in
the highest paying plant to 29 cents in the two 105
lowest paying plants. Comparison of earnings of individual women employed in the same occupation revealed even greater variations. Hourly earnings of the packers in the plants covered

[29] See also Appendix, Tables VII and VIII.

ranged from 78 cents to 22½ cents. In half the plants none of the packers received less than 35 cents an hour, their hourly earnings ranging from 35 to 62½ cents, from 40 to 41 cents, from 36 to 45 cents in the higher paying plants. On the other hand, three of the plants paid none of their packers as much as 35 cents an hour.

In the paper box factories in New York City, the average hourly earnings of all women employees ranged from 55 cents in one plant to 32½ in others. Women employed as strippers were receiving from 32½ to 84 cents an hour. Twenty-one of the 28 firms paid all their strippers at least 40 cents an hour and 11 firms at least 50 cents an hour, whereas three firms were paying none of their strippers as much as 40 cents.

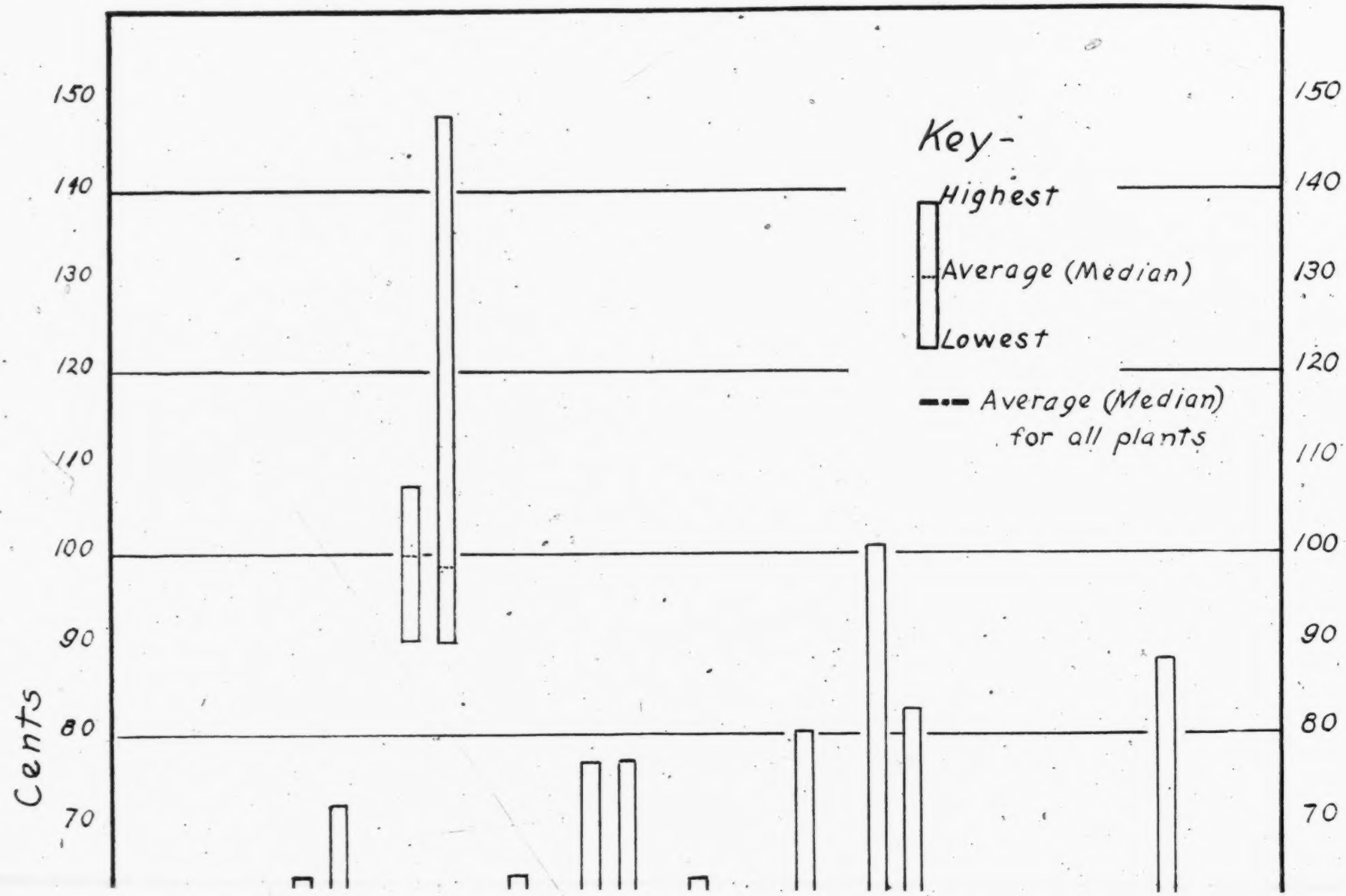
Average hourly earnings of operators in cotton garment factories in New York City ranged from 23 cents to $1.48. Operators in a third of the plants covered received at least 40 cents an hour. At the high range were two firms that paid none of their operators less than 90 cents an hour. At the other end of the scale were two plants paying from 23½ to 39 cents, and from 27½ to 39 cents.

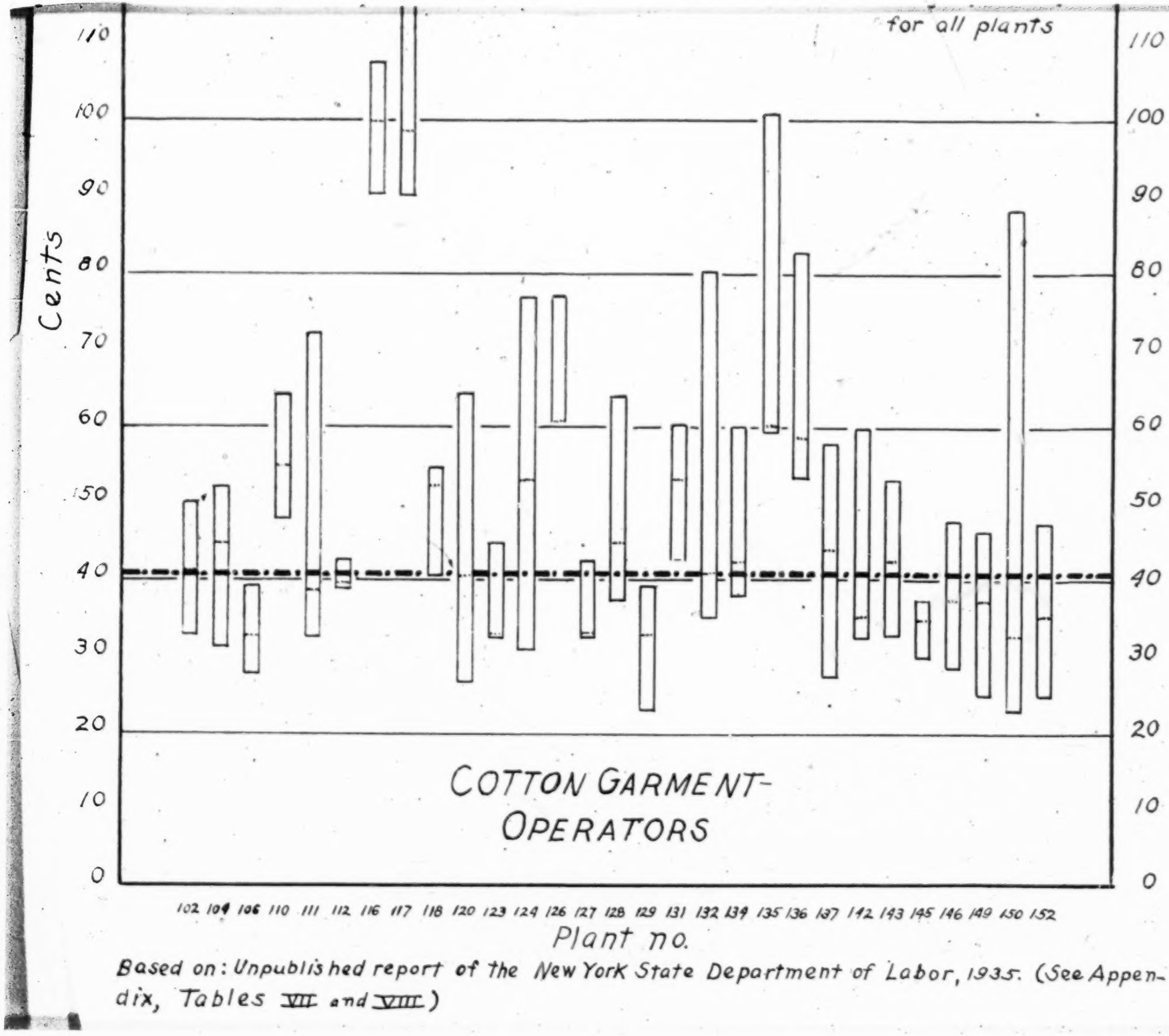
Finishers in the knitted outerwear industry in New York City earned from 20 to 77 cents an hour. Half the firms paid all their finishers at least 40 cents an hour. One firm, however, was paying more than a fourth of its finishers less than 25 cents an hour and almost half (43 per cent) less than 30 cents.

Marked variations in wages paid to women in the same occupations were also found in the handbag industry and in retail stores in New York City.

CHART III - PLANT BY PLANT COMPARISON OF HOURLY EARNINGS OF WOMEN IN THE SAME OCCUPATIONS IN FACTORIES NEW YORK CITY, 1935

FIGURE 1





Based on: Unpublished report of the New York State Department of Labor, 1935. (See Appendix, Tables VII and VIII)

CHART III

FIGURE 2

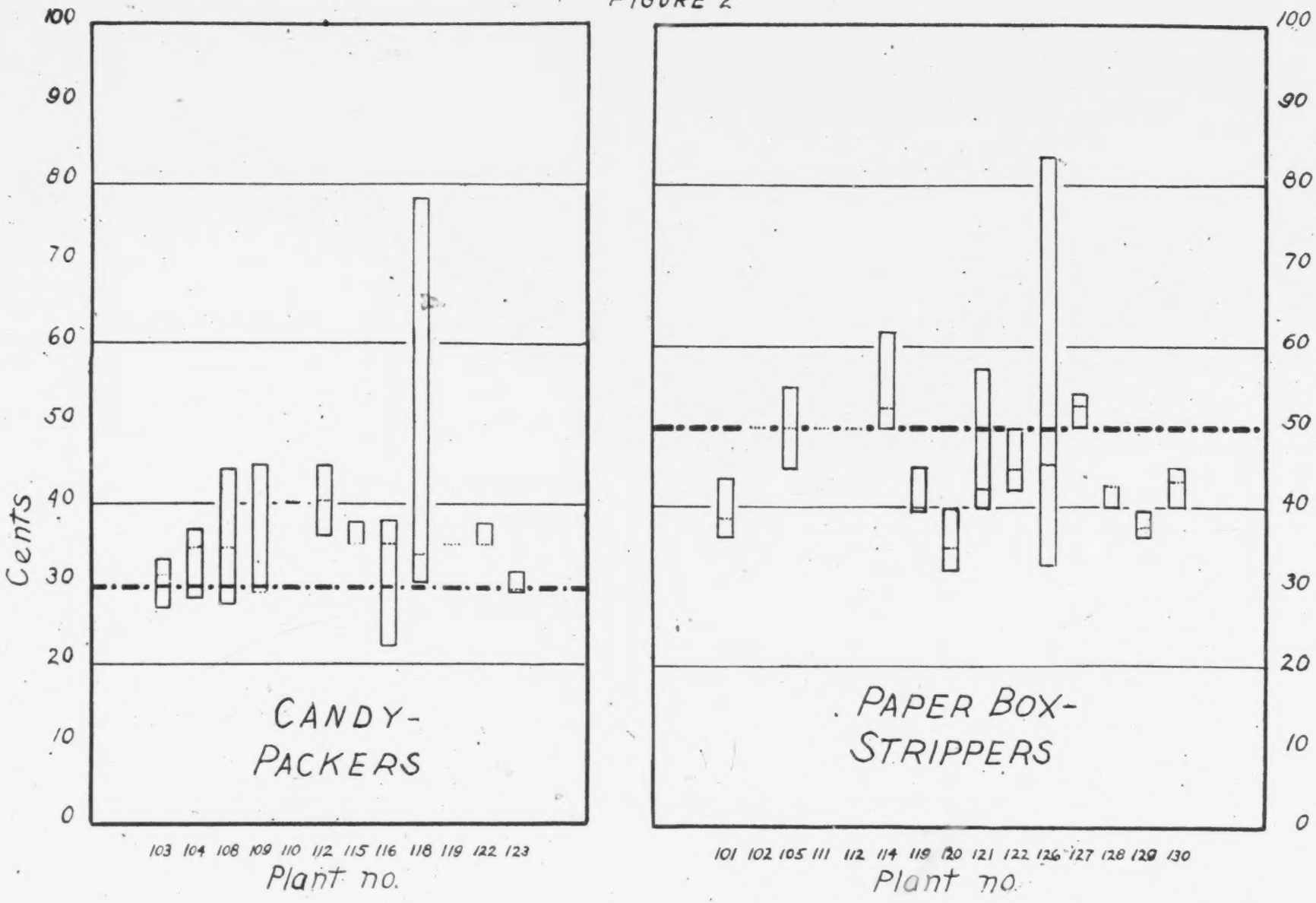
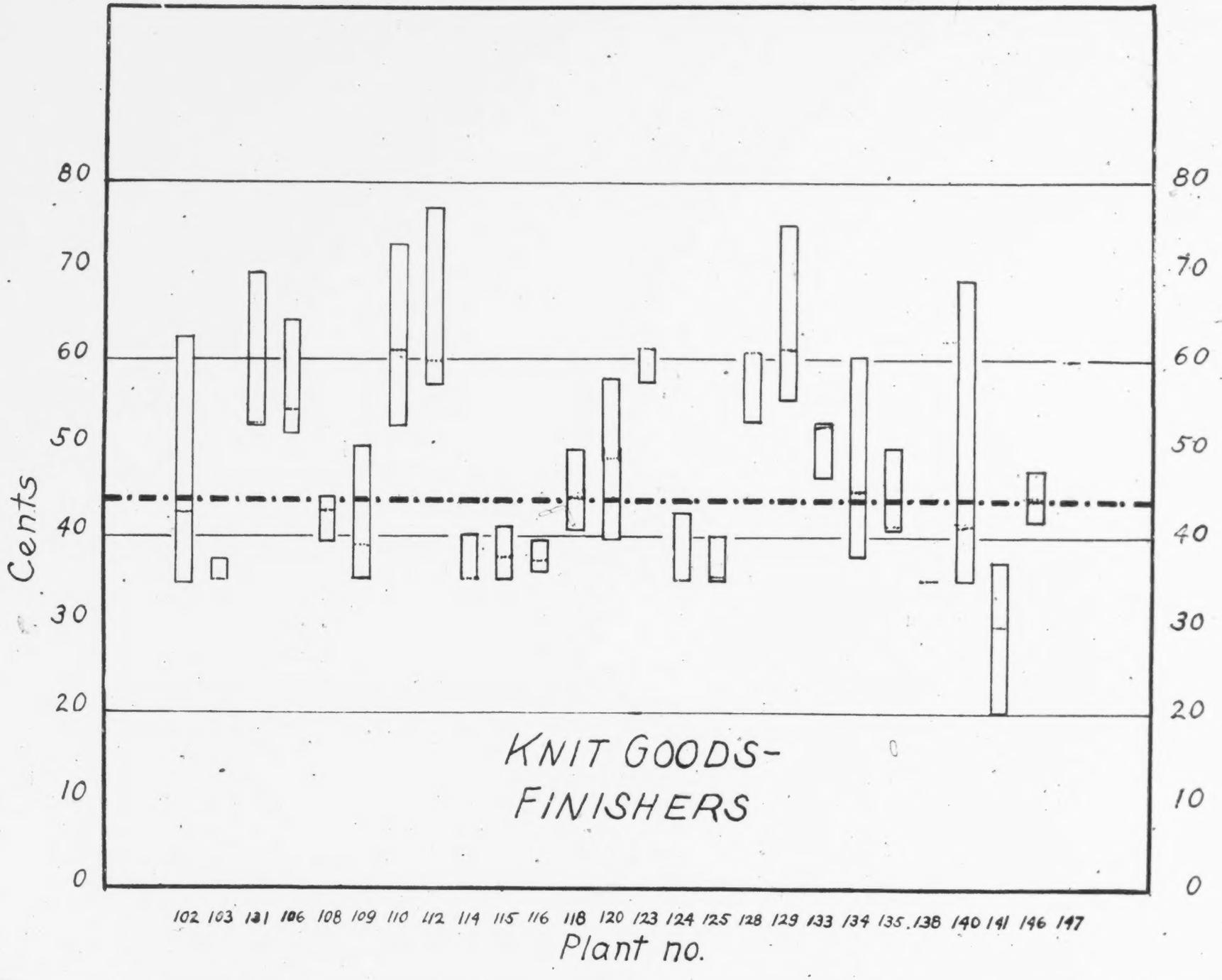


CHART III.

FIGURE 3



2. The fact that in many instances women are paid lower wages than men for the same work is a further indication that women receive wages which are not commensurate with the value of the services rendered. 111

Women's labor has traditionally been regarded as cheap labor, and there is abundant evidence that women's wages are lower than men's.[30] In general the occupations in which women are employed in industry are different from those engaged in by men. Wage data show, however, that even in those cases in which workers of both sexes are employed in the same occupation, the women are paid lower wages than the men. 112

The most comprehensive figures relating to wages paid to men and women in specific occupations are those obtained by the Bureau of Labor Statistics of the United States Department of Labor from monthly payroll reports of representative employers in various industries throughout the country. The figures for New York State, as for the country as a whole, show that in almost every case in which men and women are employed in the same occupation, the women receive considerably less than the men for the same number of hours of work. The chart which follows (see Chart IV) shows the differences in the average hourly earnings of men and women in various occupations in six New York State industries in which wages were analyzed between 1929 and 1932.[31] In all but one of the twenty-nine occupations in which at least 10 workers of either sex were employed in the plants covered, women's 113 114 115

[30] The difference in the general wage level of men and women is discussed in Section III.

[31] See also Appendix, Table IX. The average used in this case is the arithmetic mean.

116 average hourly earnings were less than men's, ranging from less than half (46 per cent) to 95 per cent of the men's earnings.

There are, of course, cases in which men and women do not perform identical work even though they are employed in the same occupation. In many cases, however, women have been employed to replace men or to work with them in the same
117 occupations because they could perform the work as well as men or better and could be hired at lower wages. In a special study of the replacement of men by women in New York State industries during the war, when the process of replacement was particularly widespread, the Bureau of Women in Industry of the State Department of
118 Labor found that 80 per cent of the employers in the plants investigated claimed that women were as satisfactory or more satisfactory than the men whom they replaced. Yet, even in the cases in which the women produced more than the men, they received lower wages than the men doing the same work in the same plant.[32] Typical reasons
119 given by employers for retaining women after the armistice were: "Greater production at lower wages"; "No man would take it" (referring to women's pay envelope); "Fifty cent (an hour) men can be replaced by twenty-five cent women"; "Better work at lower wages"; "They produce more and demand less."[33] Of the 5,329 women who were retained in these plants after the armis-
120 tice in what had previously been men's jobs, 83 per cent were receiving lower wages than men doing the same work; their weekly wages averaged $4.39 less than the men's.

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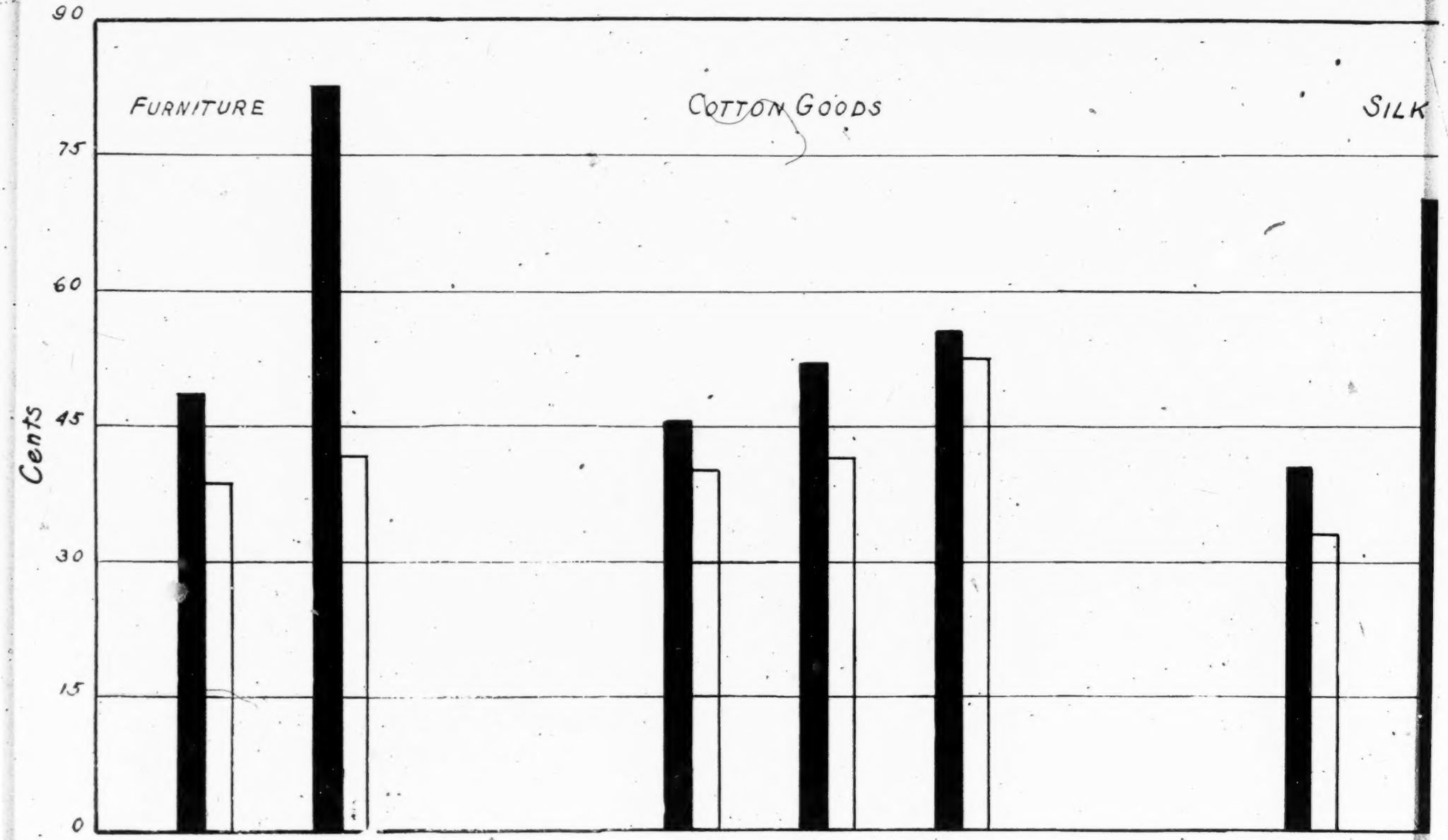
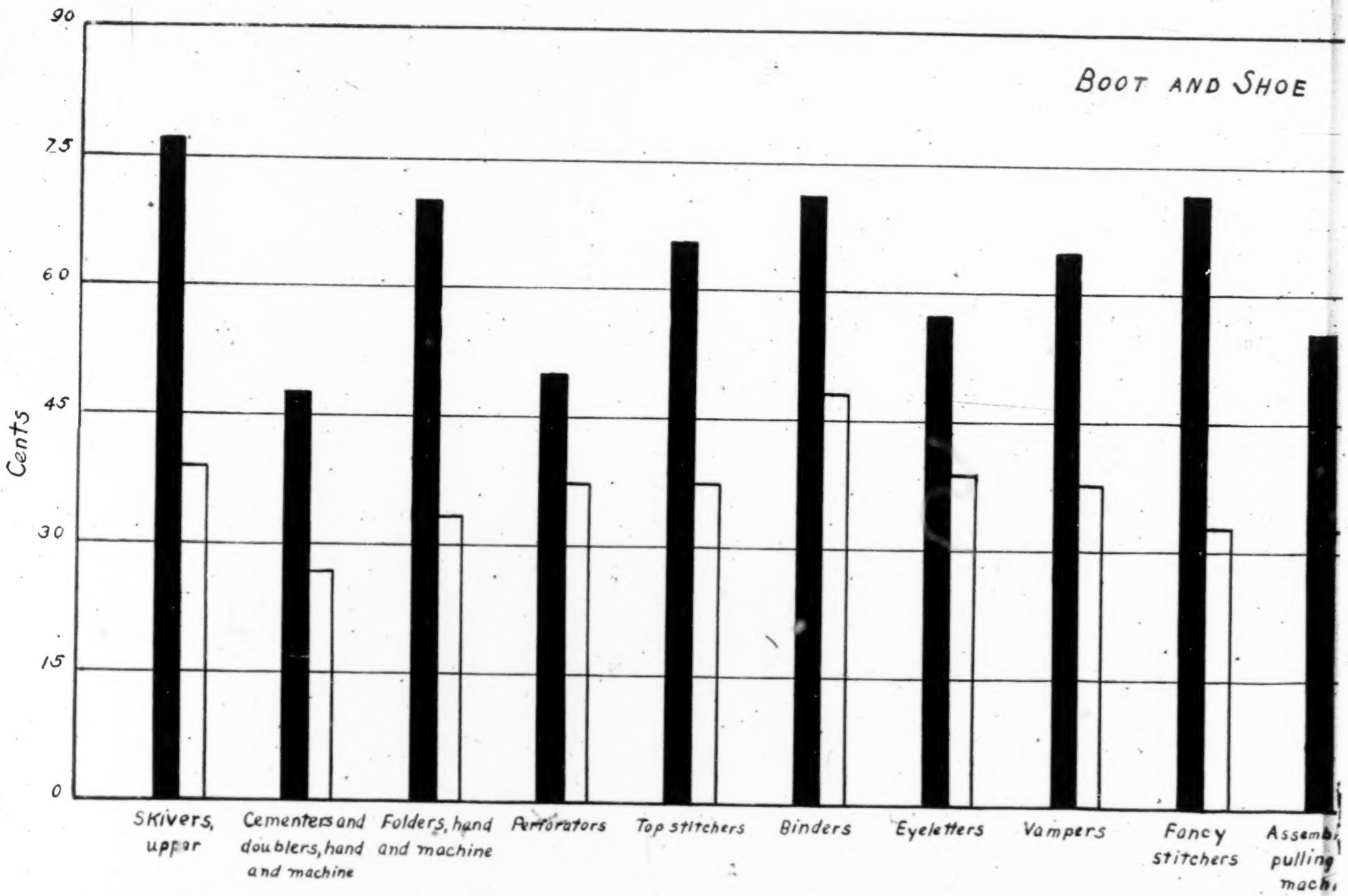
[32] New York State Department of Labor, Bureau of Women in Industry, *The Industrial Replacement of Men by Women in the State of New York*, Special Bulletin No. 93, 1919, pp. 27–29.

[33] *Ibid.*, p. 33.

CHART IV- AVERAGE HOURLY EARNINGS OF MEN A
IN THE SAME OCCUPATIONS IN SIX INDU

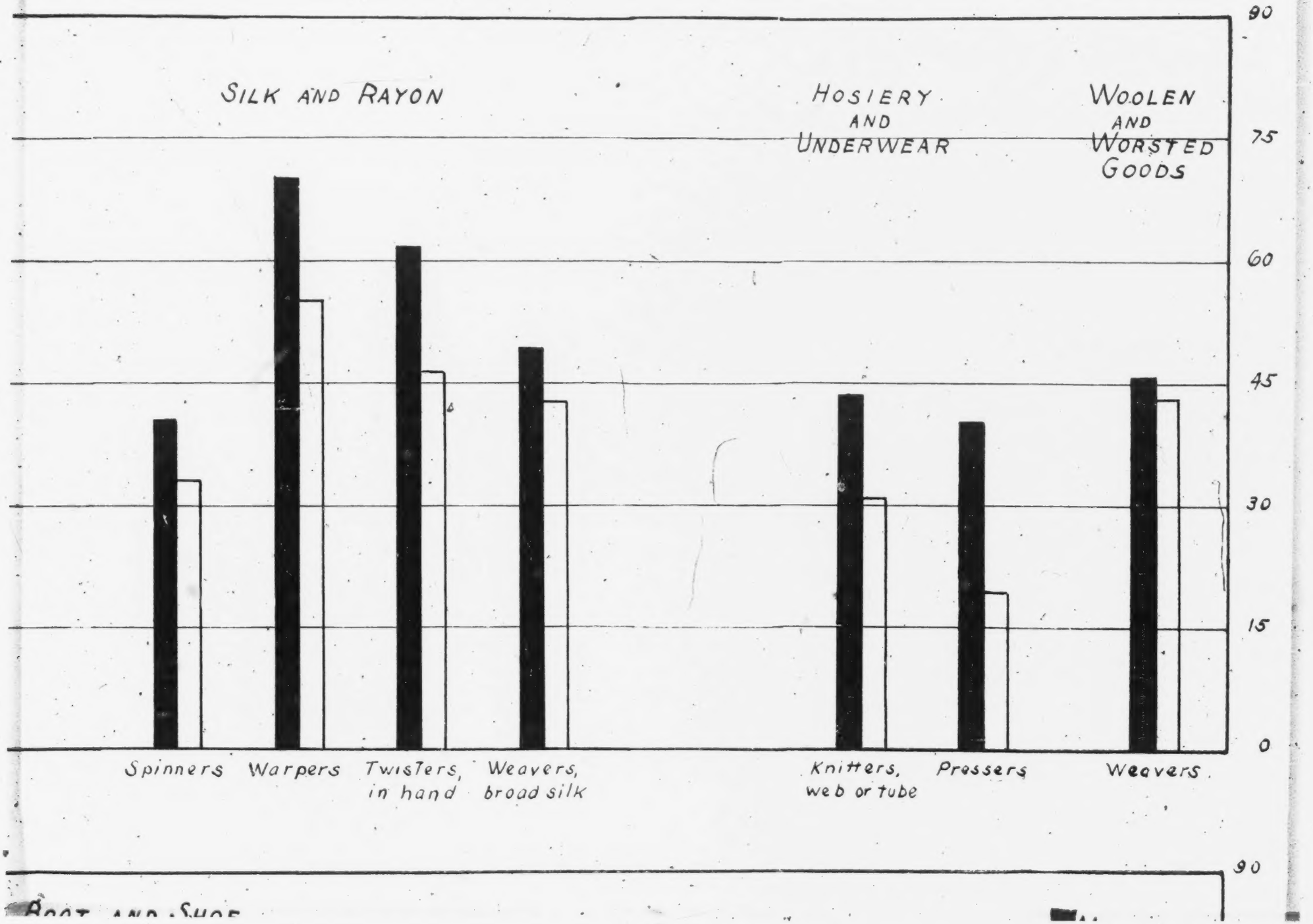


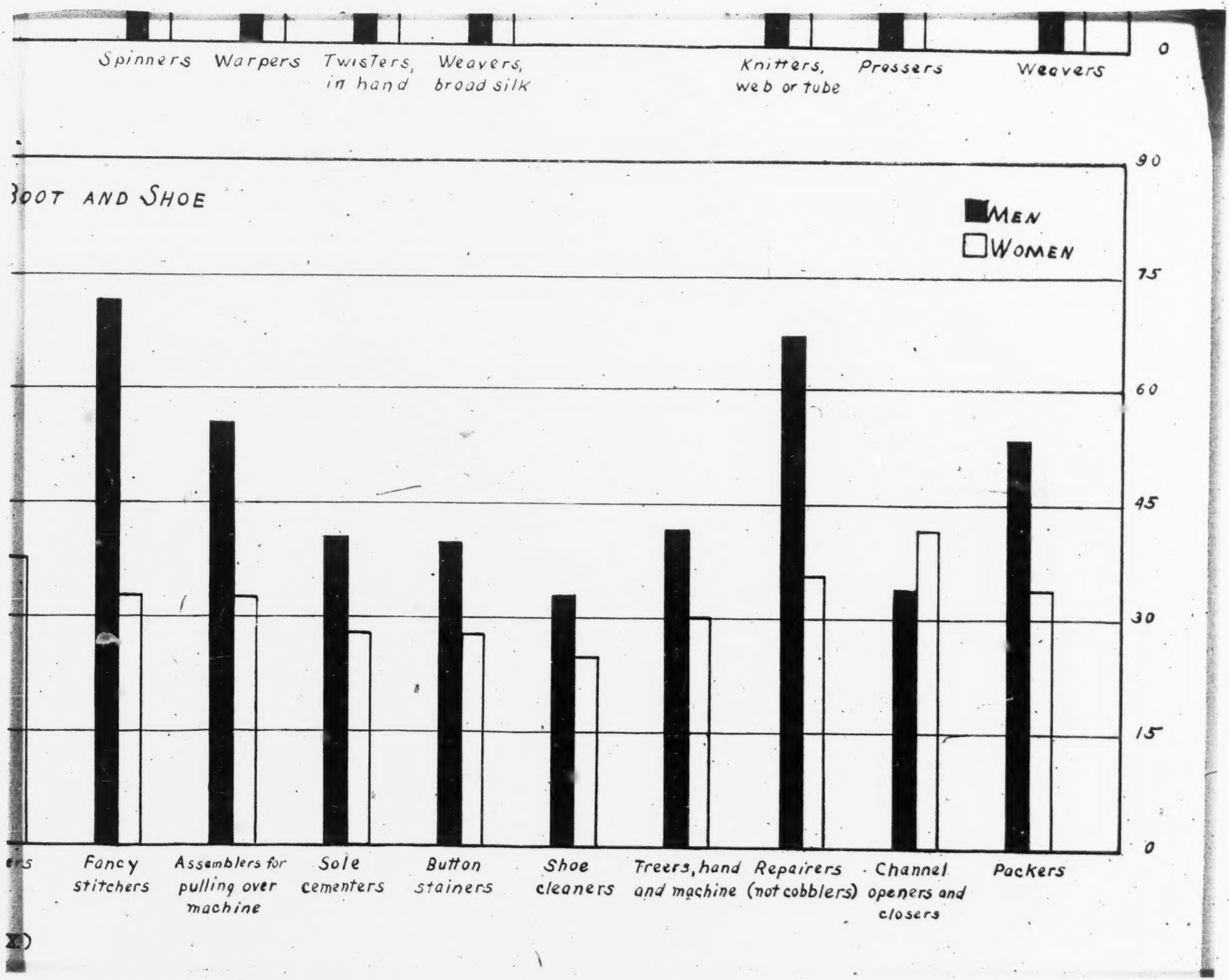
Sanders, hand Upholsterers Speeder tenders Spinners, frame Weavers Spinners We



Based on data from Bulletins of the U.S Bureau of Labor Statistics (See Appendix, Table IX)

VINGS OF MEN AND WOMEN EMPLOYED
NS IN SIX INDUSTRIES IN NEW YORK STATE




Spinners
Warpers
Twisters, in hand
Weavers, broad silk
Knitters, web or tube
Pressers
Weavers
0
90
BOOT AND SHOE
MEN
WOMEN
75
60
45
30
15
0
Fancy stitchers
Assemblers for pulling over machine
Sole cementers
Button stainers
Shoe cleaners
Treers, hand and machine
Repairers (not cobblers)
Channel openers and closers
Packers

Other studies show that it is a common practice 121
to pay women less than men when they are employed to perform identical work. The following example was reported to the United States Women's Bureau in a plant visited in the course of one of its investigations:

> "A new screw machine was installed . . .
> and men were assigned to the job on a piece 122
> work basis at a certain rate per thousand. After working on the machine a short time the men complained that they were not able to make a decent wage at the rate paid, and the employment manager and works manager decided to try women on it, transferring the men to other work. Women were put on at 123
> the same rate and, the employment manager said, 'They ran riot with the job and before long were making over $50 a week.' Then the men wanted another trial at the job, and as the employment manager does not approve of having women in the machine shop and tries to discourage it, the men were given 124
> another tryout at a slightly higher rate than the initial one. Again they failed to turn out enough work to earn a satisfactory wage. Women have been employed on this work ever since (about three years). Rates have been lowered several times since the women have been working on the machines, as it was stated that the work was in an experimental stage 125
> when the first rates were set. Machine setters were employed for both men and women. The women now make $25 to $30 a week.'"[34]

[34] United States Department of Labor, Women's Bureau, *The Effects of Labor Legislation on the Employment Opportunities of Women*, Bulletin No. 65, 1928, p. 228.

126 The Women's Bureau reported that visits to other plants of metal trades manufacturers showed few jobs there for women, but that where women were given jobs on which men had been or might be employed it was usually because of the lower wage that could be paid to women.[35]

On the relation of men's and women's wages, the Division of Women in Industry of the New
127 York State Department of Labor reported:

> "An effort to relate women's wages to their industrial efficiency has been disappointing in any comparative study of wage rates for men and women. Women's wages are almost always lower than men's. This is true even where men and women are doing the same
128 work and the woman produces as much as the man. In fact, it may make little difference whether a woman produces more or less than a man; the wage rates may not vary with her production. Being a woman is now too often a barrier against adequate payment for service. The great need is for *accurate and*
129 *scientific determination of the value of labor to the finished product regardless of the sex of the worker.*"[36]

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[35] *Ibid.*

[36] New York State Department of Labor, Division of Women in Industry, *Women Who Work*, Special Bulletin No. 110, 1922, p. 27.

130

III. WOMEN AS A GROUP HAVE ALWAYS BEEN PAID LOW WAGES AS MEASURED BY THE COST OF LIVING AND THE PURCHASING POWER OF THE DOLLAR. 131

1. Women have always been a low wage group in the labor market.

To secure data on current wage conditions, the New York State Department of Labor during the 132 summer of 1935 made a study of the wages paid to women in five manufacturing industries (candy, cotton garment, handbag, knit goods and paper box) and in retail stores. This study, covering 7,367 women in representative establishments throughout the State, showed that a large proportion of the women were receiving low wages. 133 A summary of the wages paid is presented below.

Week's Earnings of Women in Six Industries, New York State, 1935 [1]

Industry	Per cent of women whose week's earnings were—					134
	Under $5	$5 and under $10	$10 and under $12	$12 and under $15	$15 and over	
Candy	6.1	24.0	9.3	40.9	19.7	135
Cotton garment	5.8	20.3	11.1	30.4	32.4	
Handbag	10.3	18.2	7.3	40.7	23.5	
Knit goods	10.3	12.1	8.4	23.7	45.5	
Paper box	1.8	13.7	8.5	41.9	34.1	
Retail stores	16.5	10.9	12.7	28.5	31.4	

[1] Based on Table X, Appendix.

This situation was not peculiar to the summer of 1935, but has persisted in good times and bad. Special studies made by the State Department of Labor and by the United States Women's Bureau of the wages earned by women workers in New York State industries during the last 20 years show that there has always been a considerable number of women in the State earning less than $5 and less than $10 a week. During these years there have been wide fluctuations in the price level, there have been periods of prosperity and depression, with corresponding variations in wages, and there have been many social and economic changes. But as appears from the following table, in practically every industry, regardless of the year in which the study was made, there were some women who were being paid wages of less than $5 a week, and a considerable proportion of women who were receiving less than $10 a week.

Week's Earnings of Women Employed in Various Industries in New York State, 1913–1934 [1]

Industry	Date of study	Per cent of women whose week's earnings were—			
		Under $5	Under $10	Under $12	Under $15
Hotel	1934	13.6	50.5	68.8	88.3
Restaurant	1934	23.7	61.7	74.3	87.3
Laundry	1933	5.0	44.3	69.0	90.9
	[2] 1931	1.4	9.6	23.9	59.8
	[2] 1929	2.5	8.4	15.7	46.4
	1926	4.0	12.0	20.5	54.6
Glove	[3] 1933	5.6	26.5	[4]	69.0
Shirt	1933	[4]	64.0	81.0	94.0
	1923	3.6	18.7	31.0	50.9
	1918	7.5	38.3	57.7	78.2
	1913	24.1	83.1	92.2	98.2
All industries—Newburgh	1929	[4]	[4]	44.9	[4]
Tobacco	1929	2.0	9.2		32.9
	1923	2.5	11.6	19.8	36.5
	1918	3.3	17.4	31.8	53.7
Paper box	[2] 1927	2.4	11.3	21.3	41.8
	1923	3.3	15.6	29.5	56.8
	1918	5.5	35.8	59.2	82.9
	1913	18.9	85.9	95.8	99.5
All industries—Binghamton	1926	3.7	12.8	20.7	41.1
Knitted outerwear	[2] 1923	.....	0.3	2.9	10.5
Candy	1923	4.0	18.4	35.4	63.0
	1918	13.3	51.4	72.3	89.0
	1913	28.3	92.5	97.9	99.4
Mercantile	1923	0.2	8.1	18.1	40.2
	1918	0.9	29.5	50.3	75.1
	1913	14.2	73.8	84.2	92.7
5 and 10 cent stores	1921	5.4	19.5	[4]	70.1
Millinery	[2] 1914	14.4	52.6	67.2	84.8
Button	[2] 1913	18.2	88.5	93.7	97.9

[1] Based on Table XI, Appendix.
[2] New York City only.
[3] Fulton County only.
[4] Not available.

146 Since June 1923 the New York State Department of Labor has been publishing figures on the average[37] weekly earnings of men and women in New York State factories, based on data collected from a fixed list of representative factories which report for the week including the 15th day of each month. These figures show that in every year
147 throughout the past 12 years women earned wages a little more than half as high as the wages paid to men. This relationship between the average weekly earnings of men and of women appears in all manufacturing industries combined (see Chart V) and also in the large women-employing industries such as clothing, candy, knit goods, paper
148 box and shoes.[38]

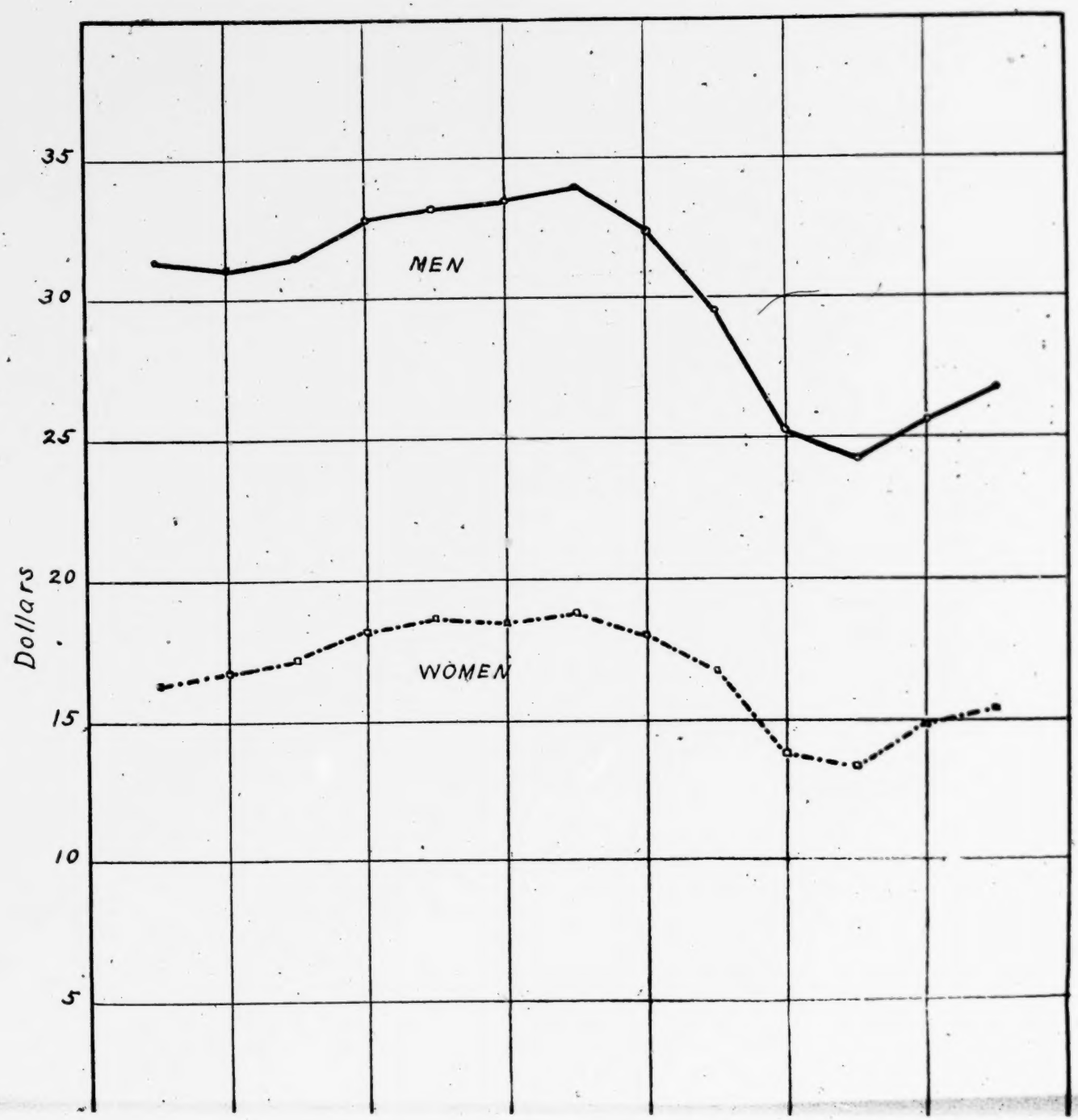
The reasons for the wide difference in the wages of men and women have been much discussed. In a study of the earnings of men and women in New York State factories for the years 1923–1925, it was pointed out that:

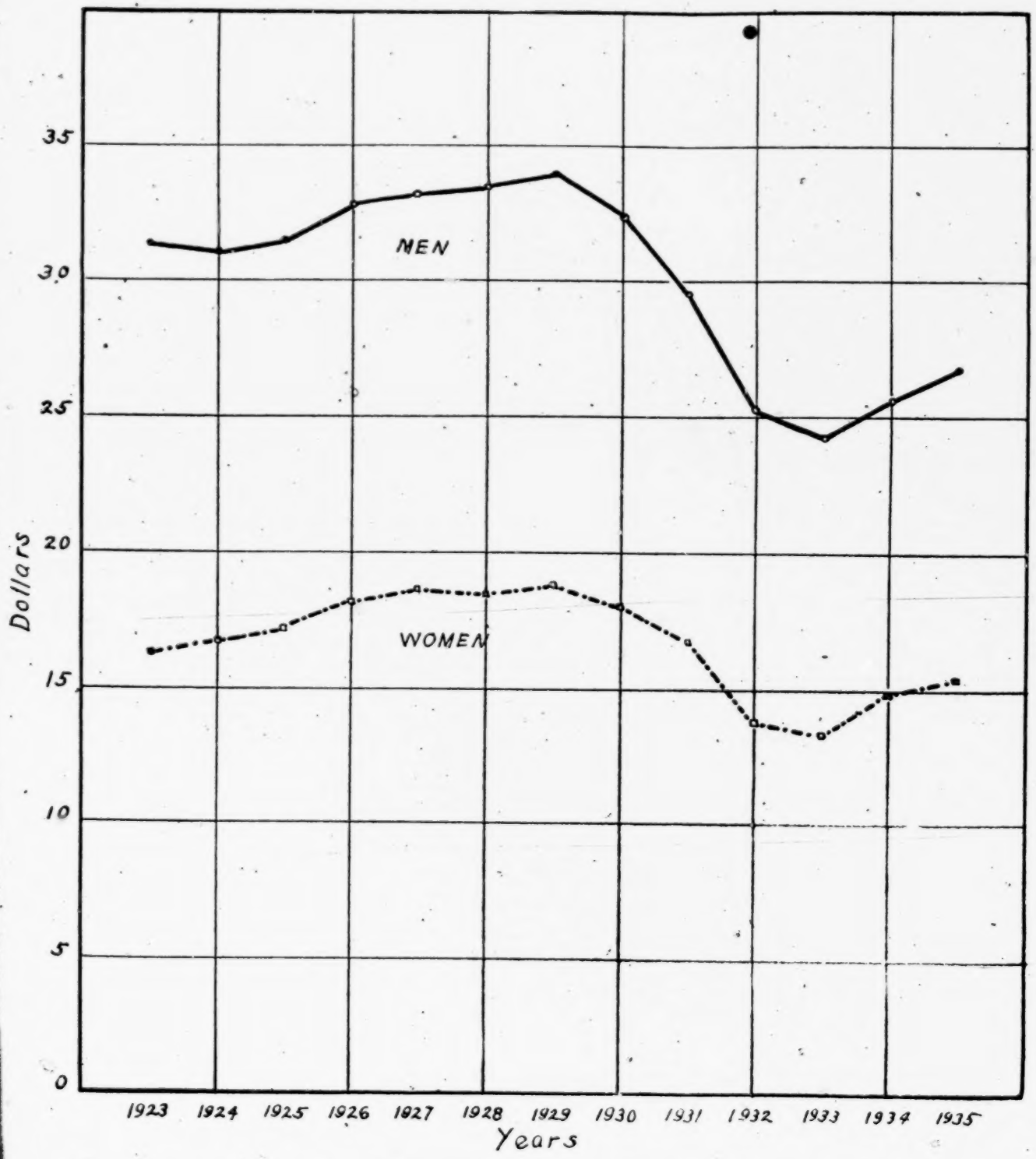
> ". . . women are engaged in different
> 149 occupations from those performed by men. The question is not, however, whether women are doing as heavy or as skillful work as men but whether difference in skill alone justifies a return only about half as great as that paid the men.
>
> "There is little evidence for deciding what are the reasons for the lower earnings of
> 150 women. A few facts, however, stand out. Women receive the highest earnings in industries where they are organized, like clothing and publishing. They receive the lowest

[37] For these figures the type of average used is the arithmetic mean.

[38] See Appendix, Table XII.

CHART V - AVERAGE WEEKLY EARNINGS OF MEN AND WOMEN IN REPRESENTATIVE NEW YORK STATE FACTORIES 1923 - 1935





Based on data from The Industrial Bulletin of the New York State Department of Labor - (See Appendix, Table XII)

wages in industries located in small towns or 151
in one-industry centers where the cost of living is lower and the possible alternative jobs are fewer.

"There are no women in the highest paid industries for men, again excluding the clothing manufacturers. This might be explained on the ground that women cannot do the work 152
requiring the greatest strength and skill, or that they are not admitted to the highest paid jobs, or that their limited bargaining power tends to pull down the earnings of men in the occupations where women are concentrated."[39]

However, as shown in the preceding section, 153
women's wages are lower than those paid to men, even when they are employed in the same occupations.

[39] New York State Department of Labor, Bureau of Statistics and Information, *Employment and Earnings of Men and Women in New York State Factories, 1923–1925*, Special Bulletin No. 143, 1926, p. 21.

154

155

2. Considerable numbers of women receive wages which do not meet the cost of living at subsistence levels, and still larger numbers of women do not receive wages adequate to meet the minimum cost of living necessary for health.

Social welfare agencies in New York City, including the New York City Emergency Relief

Weekly Minimum Subsistence Budgets for a Woman Living Alone in New York City

(As reported by various social agencies to the New York State Department of Labor)

	The Welfare Council, "Subsistence level"	Emergency Relief Bureau, "Absolute minimum weekly schedule"	Jewish Social Service Association	Charity Organization Society, "Minimum budget"
Total	$11.00	$10.00	$10.05	$10.25
Food and shelter	8.50	7.45	8.45	7.75
Food	.....	2.70	3.50	2.75
Shelter	.....	[1] 3.20	4.20	4.00
Lunches	.....	1.20	.75	.....
Gas for cooking	.....	.35	.....	[2] 1.00
Household operation	.....	.....	.....	
Clothing	1.10	1.15	.....	1.10
Carfare	.60	.60	.60	.60
Other expenses				
Insurance	[3] .15	.....	.....	.15
Health care	.15	.....	.75	.15
Recreation	.....	[4] .50		[6] .50
Personal incidentals	[5] .50	.30	.25	

[1] Includes heat and light.
[2] Includes heat, light, cleaning and household supplies.
[3] Includes savings.
[4] Includes newspapers, periodicals, dues, etc.
[5] Listed as "Other expenses."
[6] Listed as "Incidentals, including recreation, newspapers, etc."

Bureau, reported in July and August, 1935, that their weekly allowance for the living expenses of a single woman was between $10 and $11 a week. These amounts are for living expenses at a minimum subsistence level. They are intended to provide primarily for minimum physical needs such as food and lodging, and make little or no provision for clothing, health care, recreation and incidentals. The budgets are shown on page 37.

The survey of women's wages by the State Department of Labor in the summer of 1935 disclosed that a large proportion of women employed in factories and stores in New York City are being paid wages below this minimum subsistence level. As appears from the following table,[40] the percentage of women in the various industries who received less than $10 a week ranged from approximately 13 per cent of the women in retail stores to 31 per cent of the women in handbag factories:

Industry	*Per cent of women with earnings of less than $10 a week*
Candy	27.8
Cotton garment	28.4
Handbag	30.8
Knit goods	23.5
Paper box	24.3
Retail stores	12.5

In 1926 the National Industrial Conference Board, Inc., a research organization maintained by manufacturers and business executives, made a study of "the average minimum cost of maintaining a fair American standard of living" for

166 single men and women and for families in New York City.[41] On the basis of these figures the cost for a single woman, employed as an industrial worker and living apart from the family group, has been calculated as $16.53.[42] According to a study made by the Department of Labor during the same year, 63 per cent of the women employed
167 in power laundries in New York City were earning less than $16 a week.[43]

Indices of changes in the cost of living, published by the Bureau of Labor Statistics of the United States Department of Labor, show that the cost of living in New York City has declined about 19 per cent since the National Industrial Con-
168 ference Board made its study in 1926. The present cost of the items included in that budget would be $13.41,[44] a much smaller sum than that fixed by the Welfare Council of New York City for a comparable standard of living in 1935 (see below). Nevertheless, large numbers of women employed in factories and stores in New York City in 1935 were earning less than this amount, ac-
169 cording to the study made by the State Department of Labor. As appears from the following table,[45] the proportion was lowest in retail stores, with 28 per cent of the women receiving less than $13 a week, and highest in cotton garment factories, with approximately 47 per cent of the women receiving under $13. In two industries,

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[41] National Industrial Conference Board, Inc., *The Cost of Living in New York City, 1926*, New York, 1926.

[42] See Appendix, Table XIII.

[43] New York State Department of Labor, Bureau of Women in Industry, *Hours and Earnings of Women Employed in Power Laundries in New York State*, Special Bulletin No. 153, 1927, p. 54.

[44] See Appendix, Table XIV.

[45] See also Appendix, Table X.

candy and paper box, 44 per cent of the women were paid wages which would be insufficient to meet the present cost of the standard set by the National Industrial Conference Board. 171

Industry	*Per cent of women with earnings of less than $13 a week*
Candy	44.4
Cotton garment	46.5
Handbag	40.7
Knit goods	35.7
Paper box	44.4
Retail stores	28.2

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The Welfare Council of New York City, which reports $11 as the cost of living at a "subsistence level," also presents a budget of $16 a week as the cost of living at a "minimum self-supporting level."[46] The following table[47] shows that the majority of the women covered in the study made by the Department of Labor during the summer of 1935 were not earning enough to live at this "minimum self-supporting level" of $16 a week. 173 174

Industry	*Per cent of women with earnings of less than $16 a week*
Candy	87.4
Cotton garment	72.8
Handbag	76.3
Knit goods	55.1
Paper box	71.1
Retail stores	67.4

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This discussion has been limited to a comparison of the cost of living and of the wages of women in New York City. While it is recognized

[46] See Appendix, Table XV.
[47] See also Appendix, Table X.

176 that the cost of living varies in different localities, the National Industrial Conference Board in a study of living costs in "12 widely different cities" found "a remarkable similarity in living costs. . . . The conclusion seems to be that while the value and accommodations obtained for a given expenditure may vary somewhat, there
177 is no great difference in the cost of maintaining a fair American standard of living throughout the eastern part of the United States."[48] Of the three cities in New York State included in this survey, New York City, Syracuse and Lockport, the cost of living in Syracuse was 3½ per cent less than in New York City, and in Lockport, 5½ per cent
178 less.[49]

[48] National Industrial Conference Board, Inc., *The Economic Status of the Wage Earner in New York and Other States*, New York, 1928, p. 91.

[49] *Ibid.*, p. 85

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3. The employment of women at wages less than the cost of living is a social problem. This is indicated by the fact that a considerable number of employed women turn to relief agencies for help and are now on the relief rolls. 181

The New York State Department of Labor, in cooperation with the Emergency Relief Bureau of New York City, examined the records for 182
280,568 families who were on the relief rolls during the spring and summer of 1935. It was found that in these families there were 4,254 women employed in industry whose wages were insufficient for the support of themselves and their dependents. They had therefore been accepted for relief and their wages were being supplemented by payments from the Emergency Relief 183
Bureau. One-fourth of the women were earning less than $5 a week, about two-thirds (64 per cent) less than $10 a week, and three-fourths (76 per cent) less than $12 a week.[50] These women were employed in practically all industries and occupations, but the largest numbers were in manufacturing and service industries.[51] 184
These figures do not account for the women employed in industry who are being assisted by private relief agencies.

Surveys made by the Federal Emergency Relief Administration indicate that:

> "There are workers in practically all important occupational groups whose earnings are being supplemented by relief, but the number of people requiring this aid is greatest amongst the least-skilled groups."[52] 185

[50] See Appendix, Table XVI.

[51] *Ibid.*

[52] Monthly report of the Federal Emergency Relief Administration, June 1 through June 30, 1935, Washington, 1935, p. 15.

186 The Federal Emergency Relief Administration in its monthly report for June 1935 points out that:

> ". . . supplementing inadequate private earnings is a widespread phenomenon, approximately half a million employed urban workers receiving relief in May 1934. This
187 practice has been adopted by local relief administrations to meet the problem of deficiencies in family budgets. Thus, those families whose budgets fall below the standard established by the social service division of the local relief administration become eligible for supplementary relief. . . .
188 ". . . Whether the need to supplement these low wages is due to temporarily depressed conditions in industry, or to permanently depressed conditions, or to the exploitation of the demoralized labor market by industry for competitive advantages is not revealed by the data. . . .
189 "The importance of the problem of supplementing wages by relief arises largely from the fact that this practice may in certain cases tend to encourage the offering and acceptance of jobs at low wages. If widespread over a long period, this would tend to depress the wage rate structure. . . . The possibility
190 of potential wage cutting, however, is acute, where the expectation of obtaining relief grants induces employers to offer, and workers to accept, jobs paying less than subsistence wages."[53]

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[53] *Ibid.*, pp. 9, 10.

The policy of the Administration in relation to this problem was stated as follows:

> "The Relief Administrator has already announced that the Federal Emergency Relief Administration is opposed to supplementing by relief the full-time earnings of workers employed in private industry. This policy is based upon the fact that workers with supplemented earnings create a dangerous situation in the labor market. A labor market in which subsidized workers compete with other workers is both unhealthy and undesirable, for all competing employers will be forced, or at any rate encouraged, to lower wages to meet the lower costs of production of the employers with a large number of subsidized workers. Since depressed wages would also tend to spread to competing industries, all possible pressure should be exerted to prevent such a depressing effect upon wage rates, with its threat of demoralization to workers generally."[54]

[54] *Ibid.*, p. 15.

196 ## IV. WAGE EARNING WOMEN CANNOT REMEDY THE SITUATION BY THEIR OWN UNAIDED EFFORTS.

1. Their bargaining power is weak, since they are largely unorganized.

Individual employees are seldom upon a level of equality in bargaining with their employers in regard to minimum fair wage standards. But in
197 industries or occupations in which employees are organized in trade unions, employees dealing as a group with employers have been able to improve their wage situation and to establish wage standards. Women workers, however, are largely unorganized. According to figures compiled from trade unions by the New York Department of
198 Labor in 1935, 148,658 women in the State are members of trade unions,[55] or only 10½ per cent of the 1,415,105 women gainfully occupied. Of the total number of women in trade unions, 69,800 or nearly half (47 per cent) are in the women's outer clothing industry.

In 1920 the Division of Women in Industry of
199 the New York State Department of Labor, pointing out that "the trade union movement has done much toward standardizing conditions of work for women",[56] secured figures from trade unions in order to determine to what extent women in New York State were organized at that time. The survey, limited to cities of over 50,000 population,
200 showed that 113,354 women were members of trade unions, representing 13 per cent of the women gainfully employed in those cities.[57] In view of the fact that labor organization is likely to be con-

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[55] These figures were obtained by the Division of Women in Industry and Minimum Wage through correspondence and interviews with trade union officials during the summer and fall of 1935.

[56] New York State Department of Labor, Division of Women in Industry, *Women Who Work*, Special Bulletin No. 110, 1922. p. 27.

[57] *Ibid.*, p. 28.

centrated in the large cities, the proportion of 201
women in trade unions was probably about the same in 1920 as it is in 1935.

One of the principal causes for the lack of organization among women, the Division of Women in Industry stated in its survey in 1920, was that:

> ". . . the greater the skill of the worker, 202
> the greater is the degree of organization, and women for the most part are performing the unskilled, routine jobs in industry."[58]

The Women's Trade Union League of New York, which for 30 years has had as one of its principal aims the organization of workers in trade unions, likewise points out in its annual 203
report for 1929–1930, that it is:

> ". . . the less skilled and unorganized trades into which the majority of our women workers go. Not only do girls and women leave specific shops or trades, but from year to year, some of these lesser, subsidiary trades 204
> themselves go out of existence. The League has often found, after painfully building up a local union, often without help from any other source, that its membership, due to poor pay, marriage, and the high mortality rate of these businesses, has drifted to other industries. . . . Women today are going into the two extremes which characterize 205
> modern industry—the large, highly mechanized, highly centralized industries which form the impressive majority, and the small, sweated establishments which, though they

[58] *Ibid.*

206 may proportionally be of lesser importance, are greater in number than they were a decade ago.'"[59]

Only a small proportion of women workers are organized but where trade union agreements exist, wage conditions are improved. For example,
207 according to a study of the paper box industry in New York City by the State Department of Labor in 1926,[60] average weekly rates of pay for women in union shops were from nearly $2 to $4.50 higher than in non-union shops. In union shops none of the women had rates of less than $13 a week, as compared with 3 per cent of the women in the non-union establishments. Rates were less than
208 $16 for 6 per cent of the organized women, and for 16 per cent of the unorganized women.

As noted above, about half (47 per cent) of the total number of organized women in New York State are employed in the women's outer clothing industry. Average weekly earnings of women workers in this industry for the year 1934 were
209 $20.38, or nearly $5.50 higher than the average for women in all manufacturing industries.[60a]

An anlysis of piecework earnings in the dress manufacturing industry in New York City was made by the Women's Bureau of the United States Department of Labor before and after a trade union agreement in August 1933, "to find out the
210 differences in the earnings of the workers due to

[59] The Women's Trade Union League of New York, Annual Report, April 1, 1929 to April 1, 1930, p. 6.

[60] New York State Department of Labor, Bureau of Women in Industry, *The Paper Box Industry in New York City*, Special Bulletin No. 154, 1928, pp. 35–36, 68–69.

[60a] See Appendix, Table XII. The average used in this case is the arithmetic mean.

the agreement and also the effect on the industry, 211
particularly as regards production, of the shortening of hours."[61] It was found that the weekly earnings of employees increased after the agreement; the increases in average weekly earnings of operators, for example, ranged from 30 to 95 per cent.[62] The effect on production, according to the Women's Bureau, was: 212

> ". . . The rate of production has increased in varying degrees in all industries following the reduction in the hours of work and the increase in minimum hourly rates paid to workers, and such increased production has been found in a considerable proportion of the dress manufacturing plants 213
> included in this survey."[63]

[61] United States Department of Labor, Women's Bureau, *Piecework Earnings in the Dress Manufacturing Industry in New York City*, mimeographed report, 1934, p. 2.
[62] *Ibid.*, pp. 4–5, 8–9.
[63] *Ibid.*, p. 9.

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2. Their bargaining power is weak, since they are concentrated in the highly seasonal industries and are subject to great irregularity in employment.

In a study of the employment and earnings of men and women in New York State factories during the years 1923 to 1925, made by the Bureau of Statistics and Information of the New York State Department of Labor, the conclusions were:

"In the matter of employment women furnish an extra large proportion of the workers in the irregular or satellite industries and in those industries where the development of highly industrialized organization has proceeded to only a slight degree. They furnish also a large share of the irregular forces in the more highly organized industries. . . .

"Perhaps the most impressive fact brought out in the whole study is the large reserve of labor necessary to maintain the working force that appears on the payrolls of each industry. At all times, whether the volume of employment is increasing or decreasing, currents of labor are moving in both directions. . . . A few industries are always expanding operations when business is dull. . . . Their demands help to offset reductions in the volume of employment, but only by providing work for people previously unemployed. In the same way, when the market is improving, many workers are being let out in other factories and again become the reserve of surplus labor that persists through good times and bad. In this outer circle of the half-employed the proportion of women is relatively greater than that of men. . . .

"To compare the effects of a business de- 221
pression on men and women is much easier after looking at the total figures than it is after going further into the reports from separate industries and firms. The results bear out fully the general impression that women are more irregularly employed in industry than men. This appears even in good 222
times. . . . It is also true that women are concentrated more in the irregular, unskilled and highly seasonal occupations. . . .

"This study shows that women are much more likely to feel the effects of seasonal employment than men. In the type of seasonal industry where the whole force is subject to irregular employment as in the cloth- 223
ing trades women tend to get more of it than do the men. In the other type of seasonal work, like the candy factories, where a steady force is maintained throughout the year and extra workers hired for the peak of the busy season, these extra workers are almost entirely women. . . . 224

"Payrolls show, even more than employment, the irregularity to which women workers are subject. The difference in earnings from dull to busy season is much greater for women than for men. . . .

". . . . Clothing,[63a] textiles and food are all seasonal and all employers of women's labor. 225
Metals, chemicals and wood are man-employing industries and are not subject to seasonal influences. The large assortment of

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[63a] Although the clothing industry is seasonal, it is one of the most highly organized of the large women-employing industries, and hence comparatively well paid. See above pp. 45, 47, and Appendix, Table XII.

226 miscellaneous industries making small articles like hair goods, wooden novelties, sample cards, etc., all employ large numbers of women and all are subject not only to sharp seasonal movements but also to violent changes in fashion."[64]

227 A study of the fluctuations in the employment of men and women in New York State from 1928 to 1931 was made by the United States Women's Bureau from data compiled by the Bureau of Statistics and Information of the New York Department of Labor and published in the New York *Industrial Bulletin*. The conclusions reached in this study for the years 1928 to 1931
228 were substantially the same as those arrived at in the earlier study for the years 1923 to 1925:

"The manufacturing employment of women is shown to have been considerably more irregular than that of men. . . .

"The general employment level . . . was consistently (or at least in almost every
229 month) higher for men than for women in 12 of the industries or industrial groups considered, while it was consistently higher for women in only 5. It was irregular in the clothing group and certain of the food industries (candy and canning), being sometimes higher for one sex, sometimes for the
230 other. . . .

"Men's and women's employment may be compared from the viewpoint of whether or not the differences from high to low points

[64] New York State Department of Labor, Bureau of Statistics and Information, *Employment and Earnings of Men and Women in New York State Factories, 1923–1925*, Special Bulletin No. 143, 1926, pp. 9, 18, 19.

within each year varied greatly as between 231
the two sexes . . . women rather than
men were the sufferers of the greatest varia-
tion from high to low in any 1 year in a con-
siderable number of the industries in which
this relation of the two sexes was consistent
throughout the 4 years."[65]

[65] United States Department of Labor, Women's Bureau, *Employment Fluctuations and Unemployment of Women: Certain Indications from Various Sources, 1928–31*, Bulletin No. 113, 1933, pp. 73, 92–93. 232

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V. EMPLOYERS HAVE BEEN UNABLE TO REMEDY THE SITUATION THROUGH VOLUNTARY EFFORTS.

In two industries in New York State within recent years groups of employers have attempted to maintain minimum wage rates for women through voluntary agreement. The difficulties encountered by these employers in paying the wages agreed upon, in the face of competition from other firms which refused to join in the movement, and the final abandonment of their efforts, illustrate the futility of such attempts to set a bottom to wages in the absence of minimum wage legislation.

The attempt to establish a voluntary minimum wage for women in the laundry industry has been described in a report of the State Department of Labor as follows:

> "Recognizing that wages in a number of laundries were below the fair standard maintained by some firms in the industry, the New York State Laundryowners' Association in the fall of 1929 cooperated with the New York State Department of Labor in making a survey of women's wages in representative laundries, with a view to establishing a voluntary minimum wage for women by common agreement among its members. The outcome of the study . . . and of a conference between the Department of Labor and the Laundry Board of Trade, the organization authorized to carry on negotiations for laundry employers in New York City, was summarized in a letter written to the Industrial Commissioner by the President and Secretary of that organization:

'The members of our Board of Directors are unquestionably unanimous in their opinion that the minimum wage in the laundry industry for female workers in this city (New York) should not be less than $15 per week. It was decided that the Board of Directors would recommend to the membership as a whole a program which will, we hope, result in the adjusting of our wage scale to this point not later than October 1, 1930 and some of the members even felt it advisable to go so far as to recommend that the wage scale be further advanced by January 1, 1931 to not less than $16 per week.'

"The Board of Directors hoped that by the end of February 1930, every member of the Laundry Board of Trade would have pledged itself to carry out the recommendation.

"Although full agreement was not secured by the end of February 1930, the Industrial Commissioner and the Directors of the Laundry Board of Trade agreed that when the member laundries had consented, a public meeting, arranged for May 1930, should be held at which members of the Laundry Board of Trade would announce their decision to adopt a minimum wage. The meeting was later postponed until October 1930, when the Board thought that the laundries would be ready for united action, and many members would have put into effect the minimum

246 wage of $15 a week. Moreover, it was stated at the time that the Board of Directors felt bound by their recommendation.

"The public meeting did not take place in October—by the autumn of 1930 the depression had become an established fact. The Laundry Board of Trade admitted that,
247 owing to the economic situation, they would be unable to carry out their agreement but assured the Department of Labor that members of the Laundry Board of Trade would not reduce wages in their plants.

"In January 1931, when the plants studied in 1929 were visited, it was found that
248 women's wages had declined by six per cent and that the attempt to maintain wage levels had not been successful. . . .

"The Laundry Board of Trade stated that although the industry was anxious to have women's wages placed on a definite basis, the competition among power laundries and
249 the fact that hotel laundries were doing outside work at prices which no commercial laundry could meet, had made it impossible to establish a minimum at that time.

"The inability of the industry to adopt a voluntary minimum wage for women workers and later to maintain wage levels was due partly to the depression and partly to the
250 competitive situation in the industry. Laundry owners with lower wage standards were reluctant from the very beginning to raise wages to those being paid by competitors with fair wage standards. The recession in business activity intensified competition until

employers with fair wage standards also felt 251
unwilling or unable to pledge themselves to
maintain a voluntary minimum wage."[66]

After the application of the State Minimum Wage Law to the laundry industry, a directory wage order was in effect for nine months. Although the majority of laundryowners in the State observed the terms of the order and the 252
Department of Labor made every effort to bring the remainder into compliance, the maintenance of the wage standards was threatened by persistent violation on the part of a small minority of employers in the industry. The limitations of the directory wage order and the circumstances which led to the issuance of a mandatory order 253
are discussed later in Section VI.

Another attempt to maintain a minimum wage through voluntary agreement was made in the candy industry in New York State. For five years the Consumers' League of New York maintained a "Candy White List," in which it published the names of firms which agreed to adhere 254
to certain standards regarding wages and working conditions. The circumstances which led to the abandonment of the "White List" were described in a report of the Consumers' League as follows:

"The failure of voluntary efforts to fix a
bottom level for wages in industry is exem- 255
plified in the experience of the Consumers'
League with its Candy White List. After
five years of work in this industry based on

[66] New York State Department of Labor, *Report of the Industrial Commissioner to the Laundry Minimum Wage Board Relating to Wages and Other Conditions of Employment of Women and Minors in the Laundry Industry, New York State*, mimeographed report, 1933, pp. 11–13.

cooperation with members of the industry, backed by such public opinion as the League was able to rally, the White List was finally abandoned in 1932. It had become clear that legal coercion is necessary to bring the ever present recalcitrant minority into line if standards, which the better element in industry is willing to maintain, are to be protected.

"The 1923 study by the New York State Department of Labor of working conditions and wages for women candy workers revealed that half of the candy workers in New York City were earning less than $13.75 a week during even the comparatively busy month of March in a year when all business was prosperous and healthy. Forty-five per cent of those in the industry worked less than a full week even in a peak period at this time. A majority of the candy factories were then starting their workers at a weekly wage, usually of $12, while a few plants reported a beginning wage of $13 to $15 a week. But in such a highly seasonal industry all but the most skilled workers expected and received prolonged lay-offs during the season after Easter and just prior to Christmas. Therefore this beginners' wage was found to be practically the permanent wage for this large section of the candy workers which is laid off each season to begin anew the next.

"Because of these low wages the Consumers' League of New York four years later undertook a further study of the industry. Its report was first presented to the mem-

bers of the Consumers' League on March 17, 261
1928. Within ten days thereafter the New York Association of Manufacturers of Confectionery and Chocolate held a meeting and appointed a committee to confer with the officers of the League on the report and its findings. . . .

"The Confectioners Association, through 262
its committee, formally accepted the general health and sanitary standards proposed by the League but rejected the minimum wage provision. In cooperation with this committee, however, the League addressed a letter to two hundred candy manufacturers in New York City enclosing the list of standards 263
including the $14 minimum wage and asking if they wished to be included on the list of those who met the League's requirements.

"So wide a response was received requesting an immediate inspection and endorsement that the League at once employed four competent investigators who visited and reported on every factory to which they were invited. 264
On May 18th a White List of 57 firms was presented to the League membership and to the representatives of fifty social organizations. It was pointed out that each manufacturer on this list had met all requirements both as to wages and sanitary conditions and had promised to maintain these stand- 265
ards. Ten out of these fifty-seven, at the time of inspection, were found to comply with every requirement of the League. Forty-one raised the wages of beginners to $14 a week. The League felt that by insisting on this weekly wage of $14 for beginners it did no more than accept a standard set by

266 the most progressive manufacturers in the industry itself. The cooperation of responsible candy manufacturers alone made the White List possible.

"For more than four years this Candy White List was maintained and regular inspections made by the League's investigators. The idea of the Candy White List
267 spread to other states and at its peak included 101 leading firms in the four important industrial states—New York, Ohio, Pennsylvania, and Illinois.

"During the lifetime of the Candy White List the League widely advertised the list
268 and so far as was possible, by letter addressed to all known manufacturers and by advertisement, endeavored to extend the list to include all employers in the industry. Investigators for the League were indefatigable in their efforts to persuade employers by personal visits to join the move for better working conditions. At least twice
269 a year the cooperating plants were subjected to rigid inspection by the League's investigators. At such times suggestions for improving production methods were made in an effort to make it possible for these firms to raise their wages. Actually the League offered a trained service in scientific
270 management without cost as an inducement to higher wages.

"The candy firms who did join in maintaining the $14 minimum wage were enthusiastic and admitted the benefits accruing to them from better workmanship, and more interested and alert personnel, and expressed the belief that any additional labor cost was

amply repaid. But in the fall and winter of 271
1929 a number of firms began to complain of the lowered wage rates in other establishments. It became necessary to drop 11 firms from the White List because of their failure to maintain the wage agreed upon. A special plea to the consuming public was made at this time . . . 272

"Throughout 1930 and 1931 the League found the cooperating firms experiencing increasing difficulty in maintaining these minimum wage standards against the pressure of competition from those firms who refused to join in the movement to raise standards. 273

"The number of firms on the White List shrank steadily. Testimony by an officer of one of these cooperating firms given at the hearing on the New York State Minimum Wage bill in 1933 well describes the plight of employers at this time:

> 'The Hills Brothers Company accepted 274
> the minimum wage principle in 1929 and continued to support it under the White List of the 'Consumers' League until 1932. The officers and workers of the Hills Brothers Company believe in the principles set forth in the Wald Bill. During the three year period that a mini- 275
> mum wage was in effect in our Brooklyn plant, it cost us money. *The year that it cost the most was one in which the company was forced by cheap competition into a mad production scramble.* Under a minimum wage plan short seasonal increases in a labor force are expensive

because of the high training cost. This is a cost that shows. If stabilization of the work year is a good thing (and the Hills Brothers Company believes that it is) a minimum wage plan fits well into a stabilized production program.

'Of recent years many small producers have become our competitors. Their labor standards may be open to question. In a price market the production unit of our business is under constant fire. "X Company does this for 25c. Our costs are 30c. Why?" We believe, therefore, that a legal minimum wage that can be enforced on all employers will be a help to the employer who wants to maintain standards in his own industry, and of course a tremendous help to the workers involved.

'In the spiral of deflation in which we have found ourselves in the last four years, it is possible that a legal minimum wage may be a peg to arrest this deflation. . . .'

"In February 1933 the League regretfully terminated the Candy White List and sent a statement to the 85 cooperating firms remaining and to patrons, explaining that:

'. . . because of the widespread breakdown of labor standards which has affected the candy industry as well as many other industries, we find ourselves forced to discontinue the issuance of the White List of candy manufacturers.

'One of the most important standards set up by the White List was a minimum

wage of $14 for a full week's work. 281
Although through the splendid cooperation of many candy manufacturers it was possible for approximately five years to maintain this wage standard, our project must now be abandoned because of the fact that candy manufacturers included in our White List have 282
been compelled through the ruthless force of competition to reduce wages below this minimum standard.

'. . . In spite of the fact that we stood ready to reduce the minimum wage standard by 10 per cent, we were informed by practically all White List 283
candy manufacturers that they could not give any reasonable assurance that they would be able to meet even this reduced wage standard. We were, therefore, compelled to recognize the fact that despite the remarkable cooperation given by the leaders in the candy indus- 284
try a voluntary agreement such as we had established could not meet a situation such as the one which confronts us today, and that we must now place our reliance for the maintenance of certain minimum labor standards on the enactment of legislation which makes the terms of competition equal for 285
everybody.' "[67]

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[67] Consumers' League of New York, *Voluntary Minimum Wage Standards in the Candy Industry*, by Elinore Morehouse Herrick, former Executive Secretary, unpublished report, 1935. See also Elinore M. Herrick, "Why Organized Consumers Want Minimum Wage Legislation", *World Convention Dates*, March, 1933, pp. 10–11, 46; also, National Consumers' League, statement on Candy White List issued February, 1933; and *Candy White List*, published annually by the Consumers' League of New York, 1928–1932.

VI. THE APPLICATION OF THE MINIMUM WAGE LAW TO THE LAUNDRY INDUSTRY HAS ESTABLISHED A WAGE UNDER WHICH THE INDUSTRY CAN OPERATE.

1. Conditions prevailing in the industry prior to the wage order.

The laundry industry had long been recognized as a low wage industry and one in which there was little standardization of the wage rates paid to women employees. A survey of women's wages, made in 1926 by the Bureau of Women in Industry of the New York State Department of Labor, showed that both wage rates and weekly earnings of the women varied widely, ranging from more than $35 a week in some laundries to less than $5 in others.[68] Although average weekly earnings of women were $14.67, one-fifth of the women in the industry were earning less than $12 a week. With the increase in business prosperity, women's wages had risen somewhat by 1929,[69] but even at that time, during the peak of prosperity, the undercutting of wage rates by certain employers in the industry was sufficiently widespread to cause concern. The attempt by agreement between the State Department of Labor and the Laundry Board of Trade of New York City to establish a voluntary minimum wage of $15 a week for women, and the failure of these efforts,

[68] New York State Department of Labor, Bureau of Women in Industry, *Hours and Earnings of Women Employed in Power Laundries in New York State*, Special Bulletin No. 153, 1927.

[69] New York State Department of Labor, *Report of the Industrial Commissioner to the Laundry Minimum Wage Board Relating to Wages and Other Conditions of Employment of Women and Minors in the Laundry Industry, New York State*, mimeographed report, 1933, pp. 2–3.

have already been described in the preceding section. A survey conducted soon after, in 1931, indicated that wages had dropped even below the 1926 level.[70] 291

By 1933 the continued price cutting, made possible by the payment of unreasonably low wages, had resulted in such a chaotic condition in the laundry industry that laundryowners' associations urged the enactment of a state minimum wage law. The New York State Laundryowners' Association and affiliated local organizations supported the Wald Bill and, upon its enactment and approval by Governor Lehman in April 1933, urged the State Department of Labor to begin its application to the laundry industry at once. In the meantime the Department of Labor was receiving letters from women employees in the industry stating that their wages of $6, $7 and $8 for a full week's work were inadequate to provide them with the necessities of life and urging that action be taken to ensure them a fair return for their labor.[71] 292 293 294

The size of the laundry industry in New York State and the number of women who are dependent upon it for a livelihood, made the question of women's wages in this industry one of vital public concern. At present it employs over 20,000 women in New York State, and the occupation of laundry operative ranks eighth among the leading occupations of women wage earners 295

[70] *Ibid.*

[71] Copies of resolutions and letters from employers and workers in the industry will be found in the *Report of the Industrial Commissioner to the Laundry Minimum Wage Board, op. cit.*, pp. 8–10, 14–19.

296 in the State. Among manufacturing, mechanical and allied industries, laundries ranked third in the number of women employed in 1930.[72]

Because of the importance of the industry, the existing wage situation, and the widespread demand for remedial measures, the Department of Labor began the application of the Minimum
297 Fair Wage Act to the laundry industry within a month after the law became effective.

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[72] *Report of the Industrial Commissioner to the Laundry Minimum Wage Board, op. cit.*, pp. 21–28.

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2. Findings of the preliminary investigation in the laundry industry. 301

As the first step in bringing the laundry industry under the Minimum Fair Wage Law, the Department of Labor made an investigation of the wages being paid to women and minors in laundries throughout the State, as provided in Section 554 of the law. The purpose of the in- 302
vestigation was to ascertain whether an appreciable number of women and minors were receiving oppressive and unfair wages and, should such be the case, to provide data on prevailing wages and conditions in the industry for the consideration of a laundry wage board. Laundries of varying size and type in 32 cities and towns were visited by 303
trained investigators of the Division of Women in Industry and Minimum Wage, who interviewed employers and transcribed payrolls for the week including May 8, 1933. A record of annual earnings was also obtained for a number of workers.

The analysis of the records revealed great variation in wage rates being paid to women and 304
minors for similar work. The findings were summarized as follows:

> "The wages of women employed in laundries in New York State have been greatly reduced during the past few years. . . . During the past year, wage cuts in a number of plants have resulted in a reduction of 21 305
> per cent in the median rate of pay; in some plants there have been three and four wage cuts during this period. Further investigation of annual earnings of women laundry workers from May 1932 to May 1933 shows that the median earnings for the year were

306 $593 and that, of the women who had worked all 52 weeks, half had earned less than $634 and six had earned between $300 and $400.

"Because of the intense competition in the industry and the successive lowering of wages and prices, there exists at the present time a complete lack of standardization of
307 wages of women laundry workers. Earnings of women employed in the laundries investigated in May 1933 ranged from under $3 to $32 a week. This variation cannot be accounted for on the basis of differences in the type of work performed, since the week's earnings of flat work operators ranged from under $3 to $17; of hand ironers, under $3
308 to $28; of press operators from under $3 to $29. A comparison of the plant averages, that is, the average earnings of all the women in the plant for the given week, similarly shows the striking lack of standardization between plants. Average week's earnings of the women ranged from $3.67 in one plant
309 to $15.12 in another. Marked differences between plants were found in practically every locality in which a number of plants were studied.

"There are many laundries in which wage rates have been maintained while actual earnings have decreased because of loss of
310 business and part time work. Nevertheless, the variations in amounts earned by women doing similar work in different plants cannot be accounted for wholly by differences in hours worked. The earnings of women who worked a full week in May 1933 (that

is, 48 hours or more) ranged from $5 to over 311
$25. The annual earnings of women who worked the entire 52 weeks from May 1932 to May 1933 ranged from under $300 to $1600.

"Lack of standardization in wages, regardless of the hours worked, is also revealed by a comparison of the rates of pay, 312
which represent the maximum a woman can expect to earn by working a full week. The weekly rate for flat work operators was under $6 in some plants, $18 in others; for press operators it ranged from under $6 to $20. Similarly, hourly rates for flat work operators ranged from 13 cents to 50 cents.

"These figures bear evidence of the exist- 313
ence of a situation which is recognized by many familiar with the industry, that wages have been successively lowered by unscrupulous employers who resort to wage reductions as a means of undercutting their competitors, and that in the face of such competition the better type of employers are 314
gradually forced to lower wages and prices, with the result that the entire structure of the industry is threatened. It is also self-evident that the individual woman worker is even more helpless than the individual employer in this situation. Since her work is relatively unskilled and few women 315
throughout the State are organized, she has no bargaining power and consequently no alternative but to accept whatever wages are offered. Dissatisfaction with the present wage situation and a demand for remedial

316 measures have been expressed both by workers and by employers in the industry.'"[73]

After a study of the detailed findings of the investigation, the Industrial Commissioner concluded that the situation warranted the summoning of a wage board to recommend minimum fair wage standards for women and minors employed
317 in laundry occupations. He therefore appointed the laundry wage board, composed of three representatives of the employers in the industry, three representatives of the employees, and three impartial members representing the public.[74] In submitting his report to the wage board, the Industrial Commissioner stated:

318 "The investigation has brought to light further evidence of the 'employment of women and minors at wages unreasonably low and not fairly commensurate with the value of the services rendered'. The facts, especially those relating to the amount of employment available over a period of time and to the
319 great variation in wages paid by different employers for the same kind of work, appear to indicate that 'by reason of their necessitous circumstances' women are 'forced to accept whatever wages are offered them'. These same findings make it appear that in fact 'wages are in many cases fixed by chance and
320 caprice and the wages accepted . . . bear no relation to the fair value of the service rendered'.

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[73] *Report of the Industrial Commissioner to the Laundry Minimum Wage Board, op. cit.*, pp. 67–69.

[74] For a list of the members and their affiliations, see Appendix, Table XVII.

"It appears further that the constant low- 321
ering of wages which has been found to be taking place for some time past does 'constitute a serious form of unfair competition against other employers', does 'reduce the purchasing power of the workers', and does 'threaten the stability of industry'. For all these reasons I am earnestly convinced that 322
the findings of this investigation, together with other relevant information in the hands of this Department, reveal just such a situation as that declared in the Minimum Wage Act 'to render imperative the exercise of the police power of the State for the protection of industry and of the women and minors em- 323
ployed therein and of the public interest of the community at large in their health and well-being and in the prevention of the deterioration of the race.' "[75]

[75] *Report of the Industrial Commissioner to the Laundry Minimum Wage Board, op. cit.*, Letter of Transmittal.

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3. Basis for recommendations of the Laundry Minimum Wage Board.

After three weeks of deliberation, "on the basis of a full discussion of the comprehensive and detailed picture of the laundry industry in reports compiled by the Minimum Wage Division of the State Department of Labor and by the Consumers' League of New York," and after giving "careful consideration to the many important phases of the problem disclosed not only in the reports submitted to it but in the free discussion of the Board," the laundry wage board on August 11th submitted its recommendations, unanimously adopted, to the Industrial Commissioner.[76] The minimum rates proposed for women and minors employed in laundry occupations were considerably lower than those originally proposed by the labor representatives on the board as providing a "living wage" ($16 per week). After consideration of prevailing conditions in the industry the board agreed, however, that such a wage standard, although desirable from the point of view of the workers, could not then be maintained by the majority of the employers in the industry.

> "The difficulties faced by the laundry industry were fully discussed. They reveal a highly competitive condition—in which competition is found not only between plants, but also between plants and their own customers. Prices have been so drastically lowered in an effort to retain business that this fact has further complicated an already excessively depressed

[76] New York State Laundry Minimum Wage Board, *Report of the Laundry Minimum Wage Board to the Industrial Commissioner of New York State*, mimeographed report, 1933.

condition due to the wage slashes of recent 331
years. In the past few months the drop in
volume of laundry business has added still
further difficulties.'"[77]

The objective of the board was to fix a bottom to the wage level at a point which would assure as fair a return as possible to the lowest paid workers in the industry and at the same time be enforceable 332
throughout the industry. In making its recommendations the board stated:

". . . While the rates herein proposed are less than the general movement for wage increases might encourage any one to anticipate, they do involve a direct and substantial increase, averaging over 20 per cent, in the 333
earnings of more than two-thirds of the women and minors now employed. . . .

"The Wage Board is a unit in its earnest desire to improve conditions for the workers. In seeking to assure this objective it has had to recognize that lack of stabilization of labor costs is ruinous to the industry and peculiarly 334
so to the individual employer who wishes to maintain conditions that give a fair return to all.

"All members of the Board desire to fix a bottom level below which no employer may cut his wages, and give full recognition to the fact that unbridled competition has driven 335
the rates in some establishments so low that wages fall far short of giving a fair return to the workers. Nevertheless, all concur in the belief that the welfare of the industry and

[77] *Ibid.*, pp. 1–2.

the decent maintenance of its workers will best be served by fixing the minimum at as high a figure as under present conditions can be effectively maintained. The law itself makes provision whereby after one year conditions in the industry may be reviewed, in order to adjust any inequalities which may by that time be revealed."[78]

The minimum rates recommended by the wage board were 31 cents an hour for the New York City area and 27½ cents an hour for the remainder of the State, or $12.40 and $11 per week, respectively, on the basis of a 40 hour week. The board also recommended "an increase in the rate of earnings of those who work only a part of any week, and additional recompense to those who work more than a full week of 40 hours for the extra fatigue encountered", the higher undertime rate to apply to a working week of less than 40 hours, and the overtime rate to apply to working hours beyond the forty-fifth. (Later investigation made by the Department of Labor after the directory wage order had become effective showed that the average working week of women employed in laundries throughout the State was 40 hours. For further discussion of this investigation, see page 74.)

After public hearings the Industrial Commissioner approved the report of the wage board and issued Directory Order No. 1 Governing Women and Minors in Laundry Occupations, effective October 2, 1933.

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[78] *Ibid.*

4. The effect of the wage order on the wages of women and minors employed in laundries in New York State. 341

At the end of the directory period, the Division of Women in Industry and Minimum Wage of the State Department of Labor pointed out that the directory order had been effective in raising the wages of women and minors in laundries throughout the State and had brought about substantial 342 wage increases for individual women, that there had been no discernible tendency for the minimum wage to become the maximum or for wages of the higher paid employees to be reduced.[79] A statewide survey of laundry payrolls had revealed that the average weekly earnings of women and minors in laundries had increased from 343 $10.41 in May 1933, before the wage order was issued, to $12.12 in November 1933, after the directory order had been in effect for one month. It was pointed out that this increase in week's earnings was even more significant when considered in relation to the hours worked, since the higher earnings in November represented wages 344 for a considerably shorter working week than that in May (an average week of 40 hours in November, and 45 in May).

In an attempt to discover whether the wage rates of women who had been receiving more than the minimum were reduced after the wage order became effective in order to compensate for 345 increased earnings among the lower paid groups, a more detailed study was made of the effect of the

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[79] New York State Department of Labor, Division of Women in Industry and Minimum Wage, *Report to the Industrial Commissioner, The Effect of Directory Order No. 1 on the Wages of Women and Minors in Laundries in New York State and the Need for a Mandatory Wage Order Governing Laundry Occupations*, mimeographed report, 1934.

order on the earnings of 952 women for whom wage data were available both before and after the order was issued. It was found that 81 per cent of these women had higher hourly earnings in November than in May; 13 per cent were earning the same amounts; and only 5 per cent were earning less. The increases ranged as high as 22 cents per hour. In May only 89 of the 952 women had received wages which were higher than the minimum rates later established under the wage order, but of these 89 women, only five had had their rates reduced to the established minimum in November; 52 had *higher* hourly earnings in November than in May. Further indication that the minimum wage did not become the maximum was the fact that in November, after the directory wage order had been in effect for a month, almost a third (31 per cent) of the women and minors employed in laundries throughout the State and 38 per cent of those outside the New York City area were receiving more than the minimum wage required for the hours worked.

The mandatory wage order has been even more effective both in raising the general wage level of women and minors employed in laundries and in preventing the payment of substandard wages. An analysis of the payrolls of laundries throughout the State[80] in November 1934, three months

[80] Continuous information regarding wages paid to women and minors in laundries is obtained by the minimum wage inspectors of the Department of Labor, who visit the laundries to check payrolls. In order, however, to secure a picture of wages throughout the industry at any one time, it is necessary to analyze payroll reports from all laundries for a given week. The first report of this type was obtained a month after the directory order became effective, in November 1933, when every laundry in the State was requested to send to the Division of Minimum Wage a sworn copy of its payroll for the first week in November. This payroll analysis was repeated in November 1934 and November 1935.

after the mandatory wage order became effective, showed that the average weekly earnings of women and minors in the industry had increased to $13.17. By the next year, November 1935, they had further increased to $13.42.

Week's Earnings in New York State Laundries[1]

Week's Earnings	No wage order, May 1933	Directory order, November 1933	Mandatory Order	
			November 1934	November 1935
Number of laundries	178	[2] 2,210	[2] 2,120	[2] 2,047
Number of women and minors	5,322	22,325	21,421	21,959
Median earnings	$10.41	$12.12	$13.17	$13.42
Per cent of those earning:				
Less than $8	21.9	12.1	7.4	6.6
Less than $12	69.0	48.4	28.4	24.6
Less than $15	90.9	86.7	83.4	78.3

[1] Compiled from New York State Department of Labor, Division of Women in Industry and Minimum Wage, *Report to the Industrial Commissioner, The Effect of Directory Order No. 1 on the Wages of Women and Minors in Laundries in New York State and the Need for a Mandatory Wage Order Governing Laundry Occupations*, mimeographed report, 1934, p. 9; and *Wages and Hours of Women and Minors in New York State Laundries, November*, 1934, *and November*, 1935, unpublished reports, 1934, 1935.

[2] These figures represent the number of laundries whose payroll reports were received within the time limit set for tabulation, not necessarily the total number of laundries in the State covered by the wage order.

The period from 1933 to 1935 was one of increasing wages throughout industry. However, the wage increases for women in the laundry industry were far greater than those for women in industry as a whole in New York State. As shown above, the average weekly earnings of women in laundries increased from $10.41 in May 1933, before the wage order was issued, to $13.42

356 in November 1935, an increase of 29 per cent. The average weekly earnings of women in all New York State manufacturing industries combined increased from $13.35 in 1933 to $15.58 in 1935, or 17 per cent.[81]

By November 1935, only 6 per cent of the laundries in the State were paying any of their
357 women and minor employees less than the minimum rates established for the hours worked, as compared with 27 per cent under the directory order. The proportion of women and minors receiving wages below the prescribed minimum had decreased from 38 per cent under the directory order to 1.3 per cent under the mandatory order.[82]

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	Under directory order (November 1933)	*Under mandatory order (November 1934)*	*(November 1935)*
Per cent of laundries paying less than the minimum rates:			
New York State..	26.9	7.4	6.0
New York City Area	27.4	6.1	5.9
Outside New York City Area	24.0	13.7	6.2
Per cent of women and minors receiving less than the minimum rates:			
New York State..	37.7	2.2	1.3
New York City Area	46.1	2.2	1.4
Outside New York City Area	7.1	2.2	1.0

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[81] See Appendix, Table XII. In that table the figures representing average weekly earnings for 1935 were based on the first eight months of the year, as indicated in the footnote, since complete figures for the year 1935 were not available at the time the table was compiled. The figure given above ($15.58) represents the average weekly earnings of women factory workers in New York State for the entire 12 months of 1935.

[82] See Appendix, Tables XVIII, XIX.

A large majority of the employers paying less 361
than the established minimum rates in November 1934 and of those subsequently found by inspectors of the Division of Minimum Wage to be underpaying their workers, later came into compliance with the terms of the wage order by paying their employees the amounts legally due from the date the mandatory order became effective. 362 The Department of Labor collected and turned over to employees such sums, to the amount of more than $18,000, during the first year after the mandatory wage order was issued. The total amount collected up to March 3, 1936 was $34,000.

The payroll records of laundry employers 363
throughout the State offer striking testimony to the fact that the minimum rates established by the wage order are reasonable and well within the ability of the industry to pay. The records for November 1935 showed that 94 per cent of the laundry owners were complying with the terms of the mandatory order. Not alone that, but 58 per cent were paying more than half their 364
women and minor employees wages higher than the established minimum rates. Forty-two per cent of the women and minors employed in the laundry industry of the State were being paid wages above the minimum prescribed, an indication, also, that the minimum has not tended to become the maximum wage.[83] 365

[83] See Appendix, Tables XVIII, XIX.

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	Under directory order (*November 1933*)	*Under mandatory order* (*November 1934*)	(*November 1935*)
Per cent of laundries paying:			
At least the minimum rates to all their employees.	73.1	92.6	94.0
367 More than the minimum rates to more than half their employees	46.2	56.1	58.2
Per cent of women and minors receiving:			
At least the minimum rates.....	62.3	97.8	98.7
368 More than the minimum rates.	31.2	39.0	42.1

It is sometimes assumed that compliance with the minimum wage law places the heaviest burden upon small establishments; that the larger firms are the ones which can most readily pay
369 the rates ordered. This assumption is not borne out by an analysis of the compliance records according to size of laundry. On the contrary, such an analysis shows that, in general, failure to pay the minimum rates prescribed has varied directly with the size of the establishments. Only 8 per cent of the laundries with 10 to 24 employees were paying less than the minimum rates in
370 November 1935, as compared with 13 per cent of those employing 100 to 200 workers and 23 per cent of those employing 200 or more. Furthermore, 35 per cent of the laundries with 10 to 24 employees were paying wages above the minimum to more than half their women and minor

employees, as compared with 13 per cent of those with 100 to 200 workers. The fact that the smallest laundries, those with less than 10 employees, showed a still greater extent of compliance, is probably related to the fact that this group includes the majority of hand laundries, where women are employed in the more skilled jobs as hand ironers.

Compliance with the Mandatory Wage Order by Size of Laundry, New York State, November 1935 [1]

Size of Laundry	Per Cent of Laundries Paying —	
	Less than the minimum rates	More than the minimum rates to more than half their women and minor employees
Total	6.0	58.2
Less than 10 employees	3.9	70.6
10 to 24 employees	7.9	35.0
25 to 49 employees	11.8	23.1
50 to 99 employees	13.3	16.7
100 to 199 employees	13.2	13.2
200 employees and over	22.7	45.4

[1] Based on Appendix Table XX.

There is no indication that the increased wage for women has resulted in the displacement of women by men in the laundry industry.[84] Throughout the period from 1933 to 1935 women have continued to form 60 per cent of the employees in New York State laundries.

[84] See Appendix, Table XXI.

VII. THE EXPERIENCE AND PRINCIPLES IN THE FIXING OF GROUP WAGES ON THE BASIS OF VALUE OF SERVICES.

1. The development of principles of group wage determination according to value of services.

The New York State Minimum Fair Wage Act contains, in Section 551, subdivision 8, a definition of "a fair wage" and specifies the principle to be used in arriving at the wage. By including this concept of a fair wage as applicable to group wage determinations, the legislature has given recognition to a usage increasingly accepted both in industry and at law. The practice of fixing group wages which are accepted as commensurate with the value of the services rendered, through testing the proposed rates by means of principles susceptible of objective checks, has become increasingly important during the past thirty or thirty-five years.

Even earlier, group wage determinations established as the result of trade union negotiations to some extent embodied such principles. Unquestionably there were at times other considerations operative in fixing the level of union rates. Also, where the record makes it obvious that the wage determination was based on definite principles accepted by both sides, a variety of principles has been used. Sometimes these determinations have been in conformity with the concept of a wage commensurate with the value of the services rendered, in other cases there has been a partial application of that idea. In still others, there has been no necessary relationship to the value of services, as in the case of a wage based on cost of living or on the ability of the industry to pay a

given wage. What is indisputable is that industry 381
itself and its commentators have long since developed techniques, more or less satisfactory in application, whereby group wage determinations can be made by means of the application to a specific situation of principles of wage setting.

We are here concerned with the application of a single principle or set of principles as a basis 382
of determining group wages, namely, that the remuneration for the service or class of services can be made commensurate with their value—i.e., a group application of the old concept of *quantum meruit*. The embodiment of this principle in the practice of group wage determinations is drawn from a variety of sources. Trade union negotia- 383
tions, as the citations amply demonstrate, employed this principle frequently and with increasing clarity. Adherents of the scientific management movement, when they arrived at positions of authority in industry, made conscious and elaborate use of formulae built on this same basic assumption that the wage for whole classes of 384
service could be so fixed as to represent a "fair return." Finally, general social concern with an industrial situation which was regarded as returning to many groups of workers less than the value of their services took the form of legal provision of machinery for arbitration and mediation. This machinery had as one specific purpose the establishing of group wages at rates commensurate 385
with the fair value of services rendered.

An examination of actual awards, of scientific management studies, of the findings of arbitration boards and of other publications dealing with the subject shows that a great many factors have been

considered as affecting the fair return for group services. Since their application has been made in a field where other factors (such as the relative bargaining power of the two sides to the wage bargain, or marked changes in the cost of living or in the labor supply) could not be disregarded, it has frequently happened that the principles in determining fair value of services were not clearly distinguished or fully applied. However, a compilation of statements of actual practices show that at least the following factors have at different times been considered in arriving at a rate commensurate with group value of services rendered.

1. Wages paid for similar work in other establishments.

2. Wages paid for similar or related work in other industries in the locality or the market area.

3. Wages paid for similar or related work in other localities or market areas.

4. Hazards of the employment.

5. Training and skill required.

6. Degree of responsibility.

7. The physical effort or laboriousness involved in the job.

8. Monotony of the work.

9. The character and regularity of the employment.

10. The relation to wages in other occupations in that industry.

11. The relation of wages to production costs and plant efficiency.

This list of principles is by no means exhaustive. 391
The number of factors considered and the weight given to them has depended upon the circumstances in the case under consideration. The material examined on the subject indicates that some or all of these principles were used in the final determination of a fair wage by the agencies charged with this responsibility. 392

These rates, when established, have been known under various names, such as the "average efficiency" rate for workers in an occupation, the "minimum standard" rates for workers of ordinary skill and training, or the rate for "a normal amount of effective work." Provision is often made for workers who are less skilled because of 393
age, physical or other handicaps. Provision as needed is made for learners or apprentices in skilled operations for whom training is necessary in order to bring them up to the standard.

The material presented is in two parts. The first consists of quotations intended merely to illustrate the variety of agencies which have 394
applied principles of fair value of services for the determination of the wages of groups of employees, and to show typical statements of how the determination was arrived at in the particular case. It has been roughly classified as follows:

A. Scientific management.
B. Trade union agreements. 395
C. Employee representation plans.
D. Government boards and commissions.
E. Mediation and arbitration awards 1924–1934.

The second part (F) consists of excerpts from a book published by Professor Herbert D. Feis

396 and entitled: *A Collection of Discussions Presenting Principles of Wage Settlement.* It comprises the author's analysis of principles by which wage settlements have been arrived at and a group of cases illustrating. It covers the period 1900–1923.

2. Evidence illustrative of the principles of group
397 **wage determination according to value of services.**

A. SCIENTIFIC MANAGEMENT [85]

(1) *"Wage scales and job evaluation"*—1926 [86]
(Sperry Gyroscope Company)

"This book has been written to be practically useful. It does not deal with theories of wages or the economics of compensation. In contrast, it presents results of extensive, actual experience in developing an equitable
398 wage program for a manufacturing concern. The methods described have been applied with success and possess desirable features, which seemingly are of general application. . . .

"Interest in the subject of wages is always maintained. For the worker wages mean livelihood and an opportunity to share in comforts and luxuries. For the employer, wages represent usually a large part of the cost of carrying on business. . . .

399 "More and more, however, the point of view is being accepted that wages and salaries should be based upon the principle of 'service rendered.' This fundamental should not only control relationships within an occupation; but also the relative relationships between different lines of work. . . ." [87]

"In spite of the difference in emphasis that may be placed upon the same point by an employe and his employer, there is generally a common agreement upon the factors which may rightfully be considered as hav-
400 ing a bearing upon the situation. An agreement in the

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[85] Some of the companies referred to also had trade union agreements or employee representation plans.

[86] Lott, Merrill R., Director of Research and Statistics, Continental Baking Corporation; formerly Personnel Superintendent, Sperry Gyroscope Company, *Wage Scales and Job Evaluation—Scientific Determination of Wage Rates on the Basis of Services Rendered,* New York, 1926.

[87] *Ibid.,* pp. v-vi.

relative influence which these various items should have upon the pay and the job can be reached if all important items are presented for calm and deliberate consideration to a group of individuals competent to express opinions on the questions involved. . . .[88]

"Factors Bearing on Relationship Between Occupations. . . .

"The following fifteen factors composed one list made up for the metal industries. Many of them are common to other lines of work. . . .

1. Length of Time Required to Learn a Trade. . . .
2. Time Required to Adapt Skill. . . .
3. Scarcity of Labor Supply. . . .
4. Difficulty of Locating Elsewhere. . . .
5. Educational Requirements. . . .
6. Prevailing Rate. . . .
7. Degree of Accuracy and Skill. . . .
8. Ingenuity. . . .
9. Possible Loss to Company Through Unintentional Errors. . . .
10. Dependence That Must Be Placed Upon the Integrity and Honesty of Effort of an Employee. . . .
11. Dirtiness of Working Conditions. . . .
12. Exposure to Health Hazard. . . .
13. Exposure to Accident Hazard. . . .
14. Physical Effort Required. . . .
15. Monotony of Work. . . .[89]

"The foundation is laid for a scientific adjustment of wage scales when once the work requirements are definitely known and the factors influencing the worth of occupations to an industry are recognized.

"Four steps are involved in the preparation of such a schedule after these preliminaries have been gone through with, namely:

1. Distinguishing between the importance of the various factors named.

2. Determining the extent to which each factor enters into the various lines of work for which the wage rates are to be established.

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[88] *Ibid.*, p. 46.
[89] *Ibid.*, pp. 47–59.

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3. Computing an index figure whose numerical value will express the relationship that should exist between wage rates.

4. Interpreting the index figure into actual wage rates.

"A thoughtful inspection of the fifteen factors listed in the preceding chapter will show that all of these items are not of equal importance. A careful analysis will establish the degree of difference. . . .[90]

407 "Experience with the rating plan described . . . . has fully justified its existence as a standard practice for shops paying their workers on a time basis. . . ."[91]

(2) *National Metal Trades Association—"Methods of Wage Payment"—1928*

"In 1928 the National Metal Trades Association made a survey of the systems of wage payment used in 408 the 672 plants in their association. They found that 307, or 45.7 per cent of the plants paid all employees on a straight time basis, while 365 or 54.3 per cent paid some or all employees on an incentive basis. . . .[92]

"The following report was made after a study of the plans of wage payment used by the 672 plants covered in the survey. The committee stated in presenting the recommendations that 'it would seem that the following eight broad rules and principles should be observed in the adoption and administration of an incentive plan:

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1. The work in question should be studied in detail and definite methods of operation adopted . . . the best way to do the job . . . determined.

2. Rates or standards should be established only as a result of a series of accurate studies . . . [so] as to make unnecessary any later change in the rate or standard as long as the job itself remains unchanged.

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3. A definite task, bogey, or other measure of what constitutes a day's or a week's work should be established. . . .

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[90] *Ibid.*, p. 60.

[91] *Ibid.*, p. 105.

[92] Barnes, Ralph M., *Industrial Engineering and Management, Problems and Policies*, New York, 1931, p. 183; see also, National Metal Trades Association, Committee on Industrial Relations, *Methods of Wage Payment*, 1928, 57 pp.

4. Employees should be protected against the possibility of reduced earning power due to circumstances beyond their control. . . . 411

5. The wage incentive used should be sufficiently flexible to permit application to the maximum number of jobs and the maximum number of employees.

6. The wage payment plan for indirect labor and supervision should be such as to harmonize with the incentive plan used for direct labor, so that there will be no conflicting interests between the different groups of employees. . . . 412

7. Whatever plan of wage payment be used, it is most important that the plan itself be simple enough to be readily understood by all employees. . . .

8. Under all circumstances and under all conditions the plan or plans of wage payment should not only be fair and just to employee and management alike but should scrupulously avoid any appearance or even suggestion of unfairness in any sense whatsoever. 413

"'Your committee therefore:

1. Urges members to use an incentive plan of wage payment whenever and wherever possible.

2. Recommends that the foregoing eight rules and principles be closely adhered to.

3. Points out the superiority of the simple types of incentive plans, such as ordinary piece work with guaranteed day rate, over the more complex systems. 414

4. Emphasizes the fact that a spirit of mutual confidence and faith based on square dealing between employees and management is essential to maximum satisfaction from all standpoints.'"[93]

"The employe's pay envelope is the very heart of all industrial relations, and to a large degree the success and prosperity of American industry is the result of adequate and just wages. . . ."[94] 415

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[93] Barnes, *Industrial Engineering and Management, op. cit.*, pp. 207-208.

[94] National Metal Trades Association, *Methods of Wage Payment, op. cit.*, Foreword.

(3) *"Wage-payment plans that reduced production costs"*—1930 [95]

The writer introduced a wage incentive system in 1905 at the Atlas Engine Works at Indianapolis. After extensive study of wage payment plans in various industries he concluded that "a fair exchange is the basis, not only of business success but of wage-incentive systems." [96] He analyzed the "Factors Governing Base Rates" in about 20 plants and recommended the following procedure for the introduction of wage-incentive systems:

"After having classified and sub-classified our trades and occupations, we are ready to investigate the factors that will effect the minimum and maximum wages properly applying to each of them in any particular locality and business.

"We will need to secure information on the following factors as they exist in the community:

a. Prevailing rates in the occupations and subdivisions of each occupation.

b. Trade union scales.

c. Labor supply available.

d. Mental and physical requirements for each subdivision of each occupation, whether low, ordinary, or high.

e. Experience and skill required in the particular business as compared with other businesses in the community.

f. Standards of living of the social group represented in each occupation.

g. Minimum wage laws.

h. Production costs and profits, these in turn depending upon the efficiency of management as it affects each occupation." [97]

Some of the companies included in this study were:

Holeproof Hosiery Company.
Van Dorn Iron Works, Cleveland
Edison Electric Appliance Company, Inc.—3 plants
Abbott Laboratories, North Chicago, Ill.
Newport News Shipbuilding and Dry Dock Company

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[95] Diemer, Col. Hugo, *Wage Payment Plans that Reduced Production Costs*, New York, 1930.

[96] *Ibid.*, p. 14.

[97] *Ibid.*, p. 16.

Middletown Car Company
Wilson and Company, Chicago
Western Electric Company—2 plants
National Cash Register Company—Dayton, Ohio. 421

(4) *"Executive guidance of industrial relations—an analysis of the experience of twenty-five companies"—1935* [98]

This study of methods of wage payment was part of a study of personnel management in 25 selected companies. "In choosing our sample . . .," the author states, "we have not used objective tests, but have selected twenty-five American firms that are well known for their industrial relations . . . Some attention [was] paid to the distribution of the firms by locality, industry, and size. With respect to the last of these, the sample is definitely biased, for two-thirds of the chosen companies are among the two hundred largest corporations in the United States." [99] 422

With reference to "Standardization of Base Rates and Salaries," the study showed that: 423

> "Most of the selected companies use financial incentives of either the group or individual type on all operations for which output standards can be set with reasonable precision and uniformity. That is, they employ incentives where work can be time-studied satisfactorily. The subject of financial incentives is so broad and their adoption so universal as to make an adequate discussion of them here inadvisable. But there is one phase of compensation that seems to warrant inclusion, namely, the systematic rating of jobs and occupations so that basic salaries and hourly rates may be in close harmony with the difficulty and responsibility entailed. 424
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> "Of the two dozen selected companies, ten (40 per cent), have 'standardized' their basic salaries and wage rates. Of these, four use the short-cut 425

[98] Balderston, C. Canby, *Executive Guidance of Industrial Relations—An Analysis of the Experience of Twenty-five Companies*, Philadelphia, 1935. Industrial Research Department, Wharton School of Finance and Commerce, University of Pennsylvania. Philadelphia, Research Studies XXV.

[99] *Ibid.*, pp. 3–4.

426 method of comparing the amounts actually paid in order to 'iron out' obvious discrepancies. This process is virtually one of cross-comparison after arranging the individual salaries in each department according to amount. The other six firms prefer to secure a rating of their jobs or occupations according to difficulty and responsibility prior to pricing them. This process involves several steps; the definition of what the title of each job or occu-
427 pation means; the creation of a rating sheet (which becomes the measuring instrument); the choice of capable raters, the translation of their combined appraisal into points, and finally the pricing of the jobs or occupations with reference both to these ratings and to the 'market.' Throughout this process, the analysis is focused upon jobs or occupations rather than upon employees." [100]

The following is a statement of the methods of wage
428 standardization used by four of the companies studied.

American Rolling Mill Company, Middletown, Ohio

"It is said to be Armco's wage policy to pay for every class of service a standard compensation as high as is current in competitive industries. The method of grading the occupations to maintain uniformity among the several plants is sufficiently unusual to merit a detailed explanation. One of
429 its unique characteristics is the effort to make rates of similar jobs in different parts of the country uniform. Much of the following description of the job rating is taken from the company announcement at the time the plan was announced.

"In order to provide for a fair relationship among the wages paid on jobs in the several plants of the company, a two years' study was made of the effects of the existing wage and incentive
430 arrangements upon employee earnings in the various plants. The results, announced late in 1931, represent a careful analytical approach to the problem. Previous to this date, the company had treated its rate-setting problem in the usual way. Although the results had been reasonably satisfactory as long as the concern had one plant only, the addition

[100] *Ibid.*, pp. 269–270.

of new units created rate-setting problems so complex as to lead to inconsistencies and lack of uniformity. 431

"Prior to this analysis, the management had watched, in the customary fashion, the labor market (i. e., the 'going' rates paid to typical jobs in the industry). However, the difficulties of comparing jobs in different companies were often so great as to render the results almost valueless for all but a few well standardized jobs. The problem was made more intricate by the fact that some 432 Armco processes were unique. In spite of these difficulties, numerous comparisons were made with other steel companies. The one outstanding fact evidenced by these outside studies was that the wages for several types of labor within any district where the steel industry was concentrated varied so widely as to lead to the conclusion that the 'going' rate for any given type of labor could not be defined except within very wide limits.

"It was then necessary to determine the relationship that each job bore to all others in the 433 company, irrespective of the nature of work; and to reflect this relationship in rate of pay for each one. The successful accomplishment of both these tasks demanded the formulation and acceptance of certain fundamental principles.

1. That all jobs, irrespective of the kind of work performed, may be grouped into different levels of value, or zones, depending upon 434 the amount of skill required for their successful performance.

2. That there is a logical relationship between these different zones of work from the highest level to the lowest.

3. That all jobs in the same zone should receive the same basic rate of pay within the organization, in return for which the company would expect a normal amount of effec- 435 tive work.

4. That any effective expenditure of effort over that required to make up a normal day's work should be compensated for by an incentive wage, separate from the zone rate but proportionate to it.

436 5. That the best classification of the jobs, according to their relative merit or requirements, is made by those men most familiar with all the jobs in a department.

6. That these raters will secure better results by a blanket appraisal of all the factors of skill differentiating one job from another than by an arbitrary scoring or point-rating system embodying a predetermined and therefore
437 limited series of skill factors.

7. That, in spite of the fact that there are wide variations in the wages paid for a given type of work within a given locality, any rate for that type of work in any community should have a definite relation to all other rates in that community.

8. That between those communities in which Armco has located its plants, no differential in
438 wages is justified on the basis that, by actual study, there was no difference in living costs, but that when such a differential should become apparent, and of seemingly permanent duration, the differential in wages found to be necessary should be uniformly applicable to all the zone rates of that plant.

"The formulation of these principles permitted cer-
439 tain terms to be defined as follows:

"A base, or zone, rate is one which will attract and hold with reasonable turnover the willing services of men having the requisite skill to produce the quality of product desired, without regard to extra-compensation paid as an incentive.

"As the term is employed by Armco, the skill requirement of a job includes all the elements of the job other than effort, because the individual
440 effort is compensated for by incentives. Hence, skill embodies the supervision received, the authority or supervision exercised, responsibilities other than supervisory—especially the responsibility for materials and equipment—manual dexterity, physical type, hazards involved, unpleasant working conditions, the requirements of education, previous experience, and training on the job.

"Each plant was then asked to establish what 441
it considered an equitable relationship of its own jobs to each other in terms of the skill requirements of each and without any reference to the existing amounts earned on those jobs. To have a starting point and some idea of relative levels that would later become firmly established as the classification progressed, two jobs were selected for their extreme differences in total skill requirements; one was placed near the bottom of the space provided for 442
the tabulation of jobs and the other was placed near the top.

". . . Tentatively, the list of 18 zones was selected as a standard, because this plant had listed a greater number of different jobs than any other and included every degree of skill which it was thought possible to find in any of the plants. It seemed reasonable also because three plants working independently had arrived at approximately 443
the same number of zone levels.

". . . The last step was to establish a consistent job nomenclature. Therefore, a uniform procedure for naming jobs was put into effect covering over 3,000 jobs whose proper relationships had been established by men whose opinions were deemed the most competent. Consequently, the base rates finally set were felt by the management to represent the proper compensation for the skill required for the successful performance of each job." [101] 444

Commonwealth Edison Company, Chicago, Illinois

"By 1912, the company had developed so rapidly in size and specialization of work that the Employees Committee found it necessary to have additional facilities for more effective consideration of wage and salary matters. Consequently, a payroll schedules subcommittee, reporting to the employees' committee, was charged with the responsibility of 445
establishing and maintaining what is still known as 'the classified service book of positions.' This book contains titles, brief definitions of duties and responsibilities, and schedules of pay for all positions in the company with minimum rates of $300 or less per month. Several job analysis surveys have been

[101] *Ibid., pp.* 13–16.

446 undertaken. They are sponsored by the industrial relations department as well as the employees' and payroll schedules subcommittees because both derive benefits from them.

"Since it is the policy of the company to have the personnel work carried on as far as possible by the line organization, the latter has been utilized in making the job analyses even though the number of employees has increased from 3,000 to 10,000.
447 The method used in the last comprehensive analysis, begun in 1926, was that of utilizing staff men of the industrial relations department and of the payroll schedules subcommittee for the purpose of informing the line organization as to the forms, methods, and procedures to be used in setting up the job specifications and in classifying, grading, and evaluating positions. The line organization,
448 by use of the duty statement, supplied these staff men with the necessary data which were set up in standard form. This work, as well as subsequent work relative to the classifying, grading, and evaluating of the positions was carried on jointly by the staff men and the departmental supervisory forces. In this way uniform interpretation and application of the methods and procedures used and the job data obtained were assured.

"To aid the line organization in effectively deter-
449 mining the relative importance and value of jobs, a numerical job rating scale was used. This scale was comprised of what is believed to be the fourteen principal factors contributing to the value of a position. Such factors, for example, dealt with variety and complexity of work, mental, physical, and educational requirements, supervisory or executive responsibility, and experience requirements. This job rating scale was applied by the departmental supervisory forces to the positions under their
450 administration with the assistance and guidance of the staff men." [102]

The Goodyear Tire and Rubber Company, Akron, Ohio

"Goodyear wages are set by analysis of its jobs. Some obviously require higher skill than others. For

[102] *Ibid.*, pp. 53–54.

instance, it takes from one to three years to develop 451
a good calendar man, whose job is to coat or impregnate tire fabric with rubber. If the operation is to be done with sufficient precision of gauge, temperature, and pressure for the finished products to be of uniformly high quality, the calendar man must be better paid than his neighbor who merely takes strips of rubberized fabric off the bias cutting machines and puts them on a conveyor. In all, some 10,000 separate operations have been studied 452
as to skill, fatigue, length of time to learn, noise, and discomfort. As new methods were introduced, the operations have been re-analyzed to keep the rates in balance. If rates for tire building, for instance, are too high in relation to others, many workers will want to transfer to it.

"The efficiency department has the responsibility for rate analysis, but its conclusions are checked with the practical experience of foremen and 453
production heads. The workers themselves, through the Industrial Assemblymen, also review each new rate. The base rates are thus established after an analysis of the difficulty and responsibility of each occupation, and the form of incentive payment is piecework." [103]

Westinghouse Electric and Manufacturing Company, East Pittsburgh, Pennsylvania

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"In a large organization there are many jobs in different departments, which, although not practically identical, require the same amount of training, knowledge, and skill. In such an organization, comparisons are necessary and this involves standardization and classification of occupations and jobs as to names, requirements, and relative values.

"The objectives of the plan are:

1. Uniform rates of pay for uniform service 455
2. To keep wages for each job within a certain range of rates

"The fundamental steps in the technique are:

1. The determining upon definite names for standard occupations
2. The classifying of jobs in accordance with their value to the industry

[103] *Ibid.*, pp. 100–101.

"The details of the method are as follows:

"A list of standard names is adopted for the occupations rather than the jobs used in the industry. For example, . . .

"An analysis is made of each different job and from this information a job specification card is made giving a description of the work on that particular job and a description of the employee desired to do that work. Each job specification card shows the department using that job and the classification authorized for that work.

"All work is divided into five classes based on its relative usefulness to the company. The usefulness varies for the following reasons:

"The work may require knowledge obtained only by long experience; special manual skill which can be obtained only by long practice; unusual physical strength; initiative; or the nature of the work may involve great loss if mistakes are made, thus requiring considerable care; or the working conditions may make the job undesirable.

"On the basis of these factors, the management has classified all the work in the manufacturing departments. As an aid to this job analysis and classification, the following general descriptions were used as guides.

"*Class A:* Experimental work, model and instrument making; high-class tool work . . .

"This work demands a general knowledge of machine tools, speeds, feeds, methods and materials; also good judgment and accuracy without the use of jigs, and a high degree of skill and dependability.

"*Class B:* Work requiring accuracy, general ability and experience, but without the thorough knowledge or experience required on Class A work . . .

"*Class C:* In general, this work consists of performing one or two operations which require some accuracy and involve considerable repetition; repetitive work on machine lathes, boring mills, screw machines; operator should be able to make his own set-up.

"*Class D:* Repetitive work on one or two operations where working to close dimensions is not important; low-grade work on simple operations in Class C . . .

"*Class E:* Work which requires little, or no, previous training, and not much skill, accuracy, or knowledge . . . 461

"Every job in the shop is put in one of these five classes. A single section of the shop may have engine lathe work in three classes, A, B, and C, because it has three jobs on the engine lathe, all of different relative value. On the other hand, a section may have nothing but engine lathe work of the Class A type. 462

"Since several people may be employed in one section of the plant on a job of certain classification, differences in the ability and effort of these individuals must be provided for. Consequently, a range of rates is assigned to each class of work. In each range, the lower rates are for the less proficient workers and those just hired.

"The key sheet also furnishes an easy means of adjusting rates to conform to the prevailing wage scale. Whenever it seems advisable to authorize an adjustment of rates, it is necessary only to issue a new key sheet. 463

"The classification of occupations and rates in the works is under the supervision of the occupations and rates committees, appointed by the works manager and consisting of the superintendent of employment (chairman), superintendent of the rate and time-study department, and a secretary. This committee approves the use of new occupations and rates and investigates any unusual conditions that may arise in reference to rates of pay. A similar organization representing salaried office employees reports to the assistant of the vice president in charge of industrial relations." [104] 464

B. TRADE UNION AGREEMENTS

(1) *Trade union agreements in the photo-engraving industry in Philadelphia* [105] 465

Collective agreements in the photo-engraving industry in Philadelphia are made between the Philadelphia Photo-Engravers Union No. 7 of the International Photo-Engravers Union of North America and the

[104] *Ibid.*, pp. 212–215.

[105] Leese, Charles, *Collective Bargaining Among Photo-Engravers in Philadelphia*, Philadelphia, 1929.

466 Manufacturing Photo-Engravers Association of Philadelphia. Agreements between employers and workers in the Philadelphia market began in 1898, although no written record of those drawn before 1913 remains.

The agreements since 1913 have all been for a term of one year with the provision that any of the parties desiring an alteration of its terms at its expiration shall notify the other party 60 days before the expiration date. Otherwise, the agreement continues
467 in force from year to year. Should the old agreement expire during negotiations, it nevertheless remains in force until replaced.

As of May 1, 1928, 95 per cent of the industry in the Philadelphia area worked under closed shop conditions and collective agreement coverage.

"It is interesting to note what arguments the respective parties advance in support of their demands and proposals. . . .

468 "The arguments most frequently heard in the meetings of the agreement committees refer to economic conditions in the photo-engraving industry, what the men in other printing trades receive, what the agreements in other locals provide for, comparison of the skill required in photo-engraving with that required in other crafts, the cost of living, and the health hazards of the industry. . . .".[106]

"The cost of living receives surprisingly little attention in local negotiations. . . . When prices
469 declined in 1921, both sides agreed in the local arbitration proceedings not to use the cost of living argument and it has seldom been mentioned in other negotiations."[107]

In only two instances did a deadlock result in a stoppage of work in the industry. In all other cases agreements were reached peacefully by direct negotiation.

470 (2) *Trade union agreements in the foundry industry*

The International Molders' Union of North America and the Stove Founders' National Defense Association (now Manufacturers' Protective and Development Association) have a national trade agreement "which represents an outstanding success of over forty years' dura-

[106] *Ibid.*, p. 80.
[107] *Ibid.*, p. 82.

tion."[108] The agreement was signed in 1891 and still remains in force as a basis for wage determination. 471

"The menace of cut-throat competition created by this over-development [of the stove industry] was definitely checked by the 1891 Union agreement and its amendments providing for the equalizing of labor costs as between different pieces made in the same foundry and as between competing foundries. The rules applying these principles are:

"'The present established price of work[109] in any [illegible] should be the basis for the determination of the [illegible]ce of new work of similar character and grade, unless the presidents of the two organizations, or their representatives, shall decide that the established prices of similar work in the shop are not in accord with the price of competitive goods[109] made in the district.[110] 472

"'Any existing inequality in present prices of molding in a foundry or between two or more foundries should be adjusted as soon as practicable by mutual agreement or by the decision of the adjustment committee provided by the Conference of March, 1891.'"[111] 473

(3) *Trade union agreements in the ladies' garment industry*—1910–1935

One industry which has over a period of years attempted to set group wages on scientific bases is women's clothing. These efforts are embodied in various agreements of the International Ladies' Garment Workers' Union with the employers' associations in the different branches of the trade. Examples follow: 474

1910—The "protocol" in the cloak and suit trade in New York City established the provisions: Abolition of inside sub-contracting, charges for power, time contracts with individual employees; establishment of a regular weekly pay-day, payment

[108] Bauder, Russell S., "National Collective Bargaining in the Foundry Industry," *The American Economic Review*, September, 1934, p. 462. 475

[109] The "price of work" refers to piece work rates. The "price of competitive goods" refers to piece work rates for operations on similar products in other foundries.

[110] *Ibid.*, p. 466 quoted by the author from International Molders' Union. Conference Agreements between the I. M. U. of N. A. and M. P. and D. A., 1932, Clause 7, Conference of 1892, amended 1903, p. 4.

[111] *Ibid.*, p. 466 quoted by the author from Clause 8, Conference of 1893.

476 of wages in cash, 50-hour work week, minimum scale of wages, and price committees for the fixing of piece rates.[112]

1913—The "protocols" in the waist and dress trade, the white-goods trade, in the children's dress trade, and in the house-dress trade of New York City and in the waist and dress trade of Boston, followed the protocol of 1910 in the cloak and suit trade.

477 "The protocols in the 'women's trades,' however, contained several new features. Such, for instance, was the provision for a general minimum wage. . . . Two other features were of wider import. One was the provision for the establishment of wage-scale boards. The waist and dress protocol provided for a wage-scale board of eight members, four to be nominated

478 by the manufacturers and four by the union, and empowered this board to collect statistics, to investigate wages, to study the classification of garments in the industry, and to employ experts 'in the art of fixing prices.' The other protocols had provisions for similar wage boards. The principle underlying these provisions was the idea that it was possible to standardize the processes of work in the shops

479 and to establish 'a scientific basis for the fixing of piece and week-work prices throughout the industry' which would 'insure a minimum wage and at the same time permit reward for increased efficiency.' The other was the provision for a white sanitary label. . . ." [113]

The protocol in the waist and dress trade of New York City provided for the organization of a wage-scale board and for the adjustment

480 of piece prices. This board "was entrusted with the task of 'establishing . . . a scientific basis for the fixing of piece and week-work prices throughout the industry,' and was directed to make an investigation in order to

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[112] Levine, Louis, *The Women's Garment Workers—A History of the International Ladies' Garment Workers' Union*, New York, 1924, p. 194.

[113] *Ibid.*, p. 230.

supply facts to the Board of Grievances for the establishment of an hourly rate of pay. Pending these investigations, piece prices per garment were to be settled in each shop by the employer and by a piece-price committee selected by the workers, on the basis of a standard price per hour multiplied by the estimated number of 'solid hours' which it required a 'good experienced worker' to make the garment without interruption. . . ." [114] 481 482

1916—The protocol in the dress and waist trade of New York "embodied the results of five years of experience with protocolism in the various trades of the International, and represented an attempt to solve the various problems that had arisen in the application of the protocol under varying conditions. . . ." [115]

One feature "was the provision for the introduction of the schedule or log system in the determination of piece rates. Under the operation of this system, the garments were to be divided, as far as practicable, into working parts and a schedule rate was to be placed upon each of such parts. The rate for each part was to be based upon the estimated number of solid hours which it required a worker of average skill and experience to make the part, multiplied by the standard base rate per hour, taking into account the quality of the work required, variations in material and operating conditions in the factory, as well as the relation of such part to the other parts of the garment. Expert price adjusters were to be called in to settle any disputes which arose as to the correct division of the garment into parts.[116] 483 484

". . . One aspect of this function was to make time study tests in the shops on specific garments wherever the deputy or chief clerks disagreed in the settlement of wage disputes. But the main phase of this work consisted in 'complete work analyses' including time and motion studies, analysis of fatigue, of shop management, and of 485

[114] *Ibid.*, pp. 299–300.
[115] *Ibid.*, p. 304.
[116] *Ibid.*, pp. 304–305.

486 all other factors affecting efficiency and work. The purpose of such studies was to prepare data for the scientific organization of the system of price fixing in the shops and for the scientific management of the trade in general. . . ."[117]

1916—As a result of an agreement in the cloak and suit trade in New York City, ". . . The workers gained a reduction of working hours from fifty to
487 forty-nine a week and increases in wages. The agreement also provided for price committees and expert price adjusters and for the registration of contractors' shops. . . ."[118]

Effect of the Protocol

". . . The effect of protocolism in all the trades of the International was to improve conditions for both the workers and the employers. The former gained a levelling up of wages and
488 an improvement in general working conditions. The employers profited by the elimination of strikes and were enabled to make higher profits without any radical improvement in methods of shop or sales management. . . .

"But the first improvements which resulted from the introduction of protocolism were not followed up. . . ."[119]

"In the last analsyis, thus the protocol came
489 to an end because of two fundamental contradictions. It imposed upon the industry a demand for progressive improvements which could not be met on the existing basis of doing business. And it implied a spirit of democracy and a willingness to accept the dictates of scientific control which were in conflict with the traditions and ideology of the industry. . . ."[120]

490 However, "the protocol raised industrial relations in the industry to a plane of correctness and of mutual respect in procedure."[121]

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[117] *Ibid.*, p. 306.
[118] *Ibid.*, p. 311.
[119] *Ibid.*, p. 312.
[120] *Ibid.*, p. 316.
[121] *Ibid.*, p. 317.

"... The end of protocolism coincided with a revival in economic conditions and a 'new advance' in the organization of the International." [122] 491

1920—The engineering firm of Miller, Franklin, Basset and Co. was engaged by the Manufacturers' Association and by the Cleveland Joint Board to prepare a report on methods of wage payment. The report resulted in the creation of a Joint Bureau of Standards maintained jointly, to work out joint cost production standards in the various departments of the shops. 492

"... The Board of Referees ... was to set the minimum weekly wage rates. ... The Bureau of Standards was to set a standard wage, which was to be 10 per cent above the minimum rates. The standard of production on which the standard wage was based was to be arrived at by means of time-studies. ... The incentive to higher productivity was to be stimulated by the fact that the worker who made more garments than the standard was to be paid according to his output. Unhealthful overspeeding was to be prevented by setting a limit to the output above the standard which a worker was not to exceed." [123] 493

1932—The agreement in the dress trade in New York City made provision for the settlement of piece work rates: 494

"... (b) Should the Employer and Price Committee fail to agree [in the settlement of piece work prices] the garment ... shall be submitted to a test, the 'test hand' shall be chosen by agreement between the Employer and the Price Committee. The price of the garment to be determined by such 'test hand' shall be equaled to the established hourly rate of the 'test hand' multiplied by the number of hours it takes such 'test hand' to make a garment. 495

"(c) The hourly rate of the 'test hand' shall be established in the following manner: Two

[122] *Ibid.*, p. 318.
[123] *Ibid.*, pp. 370–71

garments of different styles on which prices have been previously settled, one to be chosen by each party, shall be given to the 'test hand' who is to do the work without interruption or interference. The time consumed on the work on such garment shall be recorded by both parties. The garment so tested shall be made under the same conditions as stock work. No garment on which the average earnings of the worker has been less than the minimum schedule of its work rates shall be selected for such test. The amount earned by the 'test hand' in making such settled garments divided by the number of hours consumed shall determine the established hourly rate of the 'test hand', the price to be in no event less than such as would yield to the minimum operator $.90 per hour for a continuous hour of work.

"(d) If, upon investigation, it should be established that the piece price has been settled below the base rate, to wit, when a representative number of workers of the shop do not earn such base rate, such price shall be resettled and all employees already paid at the original rate shall be entitled to the increase fixed by the resettlement for all work formerly done upon each garment."[124]

1934—In order to eliminate the existing system of guess and haggle from the settlement of piece work prices in the dress industry in New York, in order to remove the element of battle from the bargaining process, in order to facilitate production and in order that workers in all shops everywhere should receive the same rates for the same amount of labor, the Joint Board Dress and Waistmakers' Union of the International Ladies' Garment Workers' Union employed industrial engineers to devise a method of calculating the exact time it would take a worker to make a given dress.

[124] Collective Agreement Between the Association of Dress Manufacturers, Inc. and the Joint Board of the Cloak, Skirt, Dress and Reefer Makers' Union of the International Ladies' Garment Workers' Union, New York City, March 3, 1932, pp. 10–12.

"The Time Unit System . . . is a method 501
of calculating the exact time it will take a skilled operator to operate a given dress and a finisher to finish a dress. In order to accomplish this the dress is split up into its component parts.

"In spite of the constant change of styles, there are fundamentally certain parts of the dress that are common to all dresses at all times. These fundamental parts are called a 502
body. There are 15 possible body combinations which have been studied and their time elements determined in advance. . . ."[125]

In addition dresses have other features such as collars, sleeves of various types, yokes, pleats, sashes, etc.

"All these have been separately studied and their time determined. When the type of body and its time are established, each additional item on the dress is enumerated, and from the 503
instruction book that the system provides, the time is established. After the parts of the garments, have been enumerated, the time is totaled up, and this is the time it will take the operator to make the dress. . . .

"The system as such takes into consideration the amount of fatigue which is the natural result of the present and tense productivity in the industry. 'It also provides for time 504
taken in the usual process of work in the personal needs of the workers. . . .

"The next step in the system is to translate the units (of time) into terms of money. . . .

"The union insists upon a price (per unit) that will yield to the minimum worker his minimum wages, to the average worker his earnings above the minimum worker, and to the fast worker his earnings above the average worker. . . . 505

"Under the Time Unit System the settlement of piece rates will not be a gamble. Under the Time Unit System garments will be settled

[125] Hochman, Julius, General Manager, Joint Board Dress and Waistmakers' Union. "The Unit System of Dress Price Settlements," *Women's Wear Daily*, August 9, 1934.

506 on the actual amount of work they have. Under the Time Unit System it will be impossible for the jobbers to use one contracting shop against the other, one set of workers against the other, for the purpose of decreasing earnings. Under the Time Unit System the prices for operating or finishing will be the same regardless of whether the dress is made in a shop on 36th Street, in Brooklyn, in the Bronx, in New Jer-
507 sey or in Connecticut. It will eliminate the haggling, the bargaining and the loss of time that the piece workers face every day under the [present system] of price settlement." [126]

1935—The agreement in the cloak and suit trade made on July 11, 1935, was for a two-year period and provided:

"With respect to the Union's demand here-
508 tofore made for an increase in the above scales of wages, and the Association's objections thereto, it is agreed that the Impartial Chairman appointed hereunder shall collect data and information on the question of wages and make a report of his findings to the several parties in the industry on May 15, 1936. If the data collected shall disclose the need for wage revision, this contract shall be amended accordingly.

509 ". . . There shall be established, as soon as possible, a Labor Bureau by the Union and all parties under collective agreement with it in the coat and suit industry, under the supervision of a Labor Director to ascertain and pronounce as speedily as can conveniently be done, full and comprehensive classifications of standard types and grades of garments as a basis for piece rates provided for herein. Such
510 rates shall be based on the time consumed in the various labor operations involved in making such garments by the worker of average skill in the inside shops and in the outside shops.

[126] *Ibid.*

"When thus ascertained and pronounced such classifications and rates shall apply to all employers with whom the Union is in contractual relationship in the industry." [127] 511

(4) *Electrical Construction Industry*

The electrical construction industry has for a number of years had group wage fixing machinery in operation. The organization and functioning of this plan have been described in a publication on the work of the National Council on Industrial Relations for the Electrical Construction Industry. Excerpts from decisions of the Council are also quoted. 512

"Few documents in modern industrial history are more interesting or more advanced than that code of policies set up by the Council [i.e. The Council on Industrial Relations for the Electrical Construction Industry, organized January 26, 1920] shortly after its establishment. These policies should be read against the background of American industrial life. 513

"The commitments were introduced with the remark that the Council was not just another arbitration board, but a 'court of justice.' The Council 'proceeds upon the theory that arbitration involves compromise, which seems to mean in some minds adding up the claims on both sides of a dispute, and dividing the sum by two; while judicial settlement involves the application of definite and certain principles without any accommodation between the parties.' The 'abandonment of the philosophy of power and struggle' was at the same time announced." [128] 514

[127] Agreement of Merchants' Ladies' Garment Association, Incorporated with International Ladies' Garment Workers' Union and Joint Board of Cloak, Suit, Skirt and Reefer Makers' Union of the International Ladies' Garment Workers' Union, 1935–37, p. 11. 515
The same provisions were included in the separate agreements made with the American Cloak and Suit Manufacturers' Association, Incorporated (pp. 7–8, 11) and with the Industrial Council of Cloak, Suit and Skirt Manufacturers, Inc. (pp. 11–12).

[128] Hedges, M. H., Director of Research, International Brotherhood of Electrical Workers, *A Strikeless Industry—A Review of the National Council on Industrial Relations for the Electrical Construction Industry*, New York, 1932, p. 17.

516 The Council adopted certain code rules, among which the following are presently significant:

"(3) The public interest, the welfare and prosperity of the employer and employe, require adjustment of industrial relations by peaceful methods.

"(4) Regularity and continuity of employment should be sought to the fullest extent possible and should constitute a responsibility resting alike upon employers, wage earners, and the public. . . .

517 "(6) Industrial harmony and prosperity will be most effectually promoted by adequate representation of the parties in interest. Existing forms of representation should be carefully studied and availed of in so far as they may be found to have merit and are adaptable to the peculiar conditions of the electrical industry. . . .

"(9) Wages should be adjusted with due regard to purchasing power of the wage and to the right
518 of every man to an opportunity to earn a living, and accumulate a competence; to reasonable hours of work and working conditions; to a decent home, and to the enjoyment of proper social conditions, in order to improve the general standard of citizenship. . . .

"(10) Efficient production in conjunction with adequate wages is essential to successful industry. Arbitrary restriction of output below reasonable
519 standards is harmful to the interest of wage earners, employers and the public and should not be permitted. Industry, efficiency and initiative whenever found, should be encouraged and adequately rewarded, while indolence and indifference should be condemned. . . .

"A review of these 33 decisions reveals the Council struggling to set up new standards of procedure in the midst of the general welter of instinctive conduct. . . .

520 "Wage scales are adjusted, in so far as possible, in accord with the principles enunciated in the agreed policies. . . ."[129]

1922— "By mutual agreement between the Electrical Contractors Association of Hamilton, Ohio, and Local Union No. 648, International Brotherhood of Electrical Workers of same city, the question

[129] *Ibid.*, pp. 18-24.

of determining a wage rate for journeymen electrical workers and apprentices has been referred to the National Council on Industrial Relations for the Electrical Construction Industry. 521

". . . The employers request a reduction in the wage paid journeymen electricians prior to May first, which was ninety (90) cents per hour. . . .

"Full consideration was given the matter of under-bidding by so-called open and non-union shops. 522 The Council seriously doubts whether either wage reductions or increases would correct this condition, as experience shows there always exists a differential between the two classes of shops and where revisions downward occur in the wages of union employees, a similar reduction follows for non-union employees. The same is true when increases occur, thus leaving the gap relatively the same. It is the Council's opinion that this unsatisfactory condition 523 can be greatly relieved by real co-operation. The superior ability of union employees if diligently and efficiently applied in the interest of their employers should and would offset the monetary differential represented in wages." [130]

1922— "Under date of September 13, 1922, the Institute of Electrical Contractors of Maryland, Inc., and under date of August 22, 1922, Local Union 524 No. 28, I.B.E.W. of Baltimore, respectively, submitted to the Council on Industrial Relations requests for mediation in their wage dispute. . . . The Institute of Electrical Contractors requested a reduction in wages from $1.00 to 90 cents per hour, and Local Union No. 28 requested an increase in wages from $1.00 to $1.10 per hour. . . .

"After carefully reviewing the briefs in the case and the various conditions leading up to this 525 dispute, the Council deems it essentially fair to give some consideration to similar conditions

[130] The Council on Industrial Relations for the Electrical Construction Industry, *The Hamilton, Ohio, Wage Decision*. Bulletin No. 6, July 20th, 1922, pp. 1-2.

526 which obtain in other comparable centers. The Council also has considered to what extent, if at all, wages of skilled electricians should as a matter of economic policy be lower than the wages of other skilled mechanics, other conditions being similar, or lower than the average for electricians in cities where practically similar conditions prevail." [131]

527 1923—. There was before the Council a dispute concerning the wage rate of electrical workers in Detroit. Parties to the dispute were certain Detroit Electrical Contractors and Local Union No. 58, I.B.E.W. In presenting its decision the Council said in part:

"The Council is under a clear obligation to rest its decision on a sound principle, although it cannot always avoid some degree of compromise; but compromise is tolerated, not ac-
528 cepted, as a principle in conciliation." [132]

1923— There was before the Council a dispute concerning wages and involving Local Union No. 3, I.B.E.W., and the Electrical Contractors' Association of New York City. In its decision the Council said in part:

"The following is an extract from section 6 of said agreement:

529 'If during the term of this agreement a wage rate different from that specified shall be agreed upon by the plumbers and steamfitters and their employers in New York City, then the rates specified shall be subject to change in the manner provided in paragraph 17 hereof, and the rates so determined shall prevail. . . .'

"The obvious intent of the inclusion in article
530 6 of the clause above referred to was that if any increase or decrease in the wages of the crafts mentioned was agreed to a similar increase or decrease in the wages of Journeymen and Helpers in the Electrical Trade would follow." [133]

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[131] *Ibid., The Baltimore Decision.* Bulletin No. 7, September 26th, 1922, pp. 1–2.

[132] *Ibid., Second Detroit Decision.* Bulletin No. 10, June 1st, 1923, p. 3.

[133] *Ibid., New York City Decision.* Bulletin No. 11, June 13th, 1923, p. 2.

C. EMPLOYEE REPRESENTATION PLANS 531

(1) *Armour and Company, Chicago*

". . . The Board directed a survey of wages and conditions of work in comparable industries, to determine the true facts in these respects.

"The survey was made by joint committees of employee representatives and management representatives. These men were given time off from their labors and furnished credentials which gave them entrée at such 532 plants as they cared to visit. When they finished their survey, they recommended an increase of approximately 10 per cent and the Board adopted the recommendation and passed it on to the company executives, who made it effective." [134]

(2) *Colorado Fuel and Iron Company*

Mr. Weitzel, General Manager of the Fuel Department of the Colorado Fuel and Iron Company, in tes- 533 timony before the United States Senate Committee on Interstate Commerce in February 1920, "explained that 'we have an agreement with our miners that we will advance wages as they are advanced in our competitive districts, and we have as a competitive district the southwest, and the competitive mines, working under union agreement, next door to our mines.' " [135]

(3) *Pennsylvania Railroad* 534

"Joint fact-finding on a large scale has been a noteworthy accomplishment under the employee representation plan of the Pennsylvania Railroad. Agreement upon facts as the basis for discussion is encouraged at every step under the Pennsylvania plan. . . . There was recognized at the outset that agreement in some degree was possible, with reference to some of the facts if not to all or to the conclusion to be drawn from them. The representation plans adopted later by other 535 branches of the service on the Pennsylvania Railroad embody this same provision.

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[134] Ellerd, Harvey G., Personnel Department, Armour and Company, Chicago, "Our Experiences with Employee Representation." *Proceedings of the Academy of Political Science*, June, 1928, p. 116.

[135] Selekman, Ben M., and Van Kleeck, Mary, *Employes' Representation in Coal Mines*, New York, Russell Sage Foundation, 1924, p. 242.

536 "In May, 1923, two years after the plan was introduced in the maintenance of equipment department (employing the shop crafts) the principle of joint action was extended by providing a joint regional piece work committee to adjust complaints regarding piece work prices. . . . It called for joint *investigation* of the facts by direct observation or experimentation on the job, the piece price for which was questioned. . . . Decision respecting the adjustment to be made was to
537 be reached finally by a joint committee equally representative of the management and the employees in which a two-thirds vote of the entire membership was made determinative.

"A subsequent development of the principle of joint action occurred in October, 1923, when the conductors and trainmen agreed with the management to create a joint fact-finding committee to investigate all relevant data with reference to a v[illegible]crease which the men
538 had requested. In this ca[illegible], however, the final decision as to the action to be taken was not to be reached, as in the case of piece work prices by a two-third vote of a joint committee, but by mutual agreement as the result of negotiations. These were to follow the joint collection of facts and their joint acceptance as the proper basis for negotiations.

"The actual investigation of facts was conducted by a sub-committee of eight men appointed by the general chairman representing the two brotherhoods and
539 by the general manager. The employee members of this sub-committee consisted of a yard conductor, . . . This committee began its investigations November 15, 1923, and reported its findings February 13, 1924. As a basis for its investigations it adopted, as the considerations pertinent to the subject of a wage increase, the 'factors' embodied in the labor section of the Transportation Act of 1920, which specified eight elements, as follows:

540 A. The scales of wages paid for similar kinds of work in other industries;

B. The relation between wages and the cost of living;

C. The hazards of employment;

1. accidental,
2. occupational diseases;

D. The training and skill required;

E. The degree of responsibility;

F. The character and regularity of employment;
G. Inequality of increases in wages or of treatment, the result of previous wage orders or adjustments (this to include differentials);
H. Other relevant circumstances.

"With the aid of the company's statistical department, tables and charts were prepared, the entire compilation consisting of twenty-seven exhibits. . . .

"On the basis of such evidence, jointly accepted as facts pertinent to the issue, each side prepared its own brief as to the conclusions properly to be drawn therefrom. Negotiations in March, 1924, resulted in an increase in wages and detailed adjustments in the working rules affecting certain positions. The final outcome in this instance, it is true, was largely affected by the fact that the New York Central Railroad, shortly before these negotiations were begun, had made a settlement with its employees. This introduced an additional fact of which the negotiators took due cognizance. But the joint determination of facts cleared the ground with respect to many questionable issues.

"Substantially the same procedure was subsequently followed in negotiations with the shop crafts, the clerks, and other classes of employees. The method has come to be regarded as standard practice on the Pennsylvania Railroad as preliminary to wage negotiations. In the case of the shop crafts investigation, extensive data were gathered with reference to workers in outside industries. This was done with the aid of local committees, in each case composed jointly of management and employee representatives, which made visits to more than four hundred establishments, 383 of which submitted information which was used, being considered comparable with conditions in railroad shops. These local committees went into the factories and observed the various jobs to determine their similarity with work performed for the railroads. In addition to the question of wages, these committees obtained information regarding hours of work, overtime, and special perquisites such as vacations, stock distribution, insurance, sick leaves, and other similar provisions." [136]

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[136] Burton, Ernest Richmond, *Employee Representation*, Baltimore, 1926, pp. 191–194. The plan was first introduced in 1921.

546 "Fact Finding Committees Result of Plan

"The spirit of cooperation and fair dealing engendered by the operation of the Pennsylvania plan has been extended to cover the settlement of the most vital questions that arise in the relations between men and management.

"For instance, the last wage adjustment affecting the train service employes was settled after a joint fact-finding committee equally representative of officers and employes had been appointed to develop all
547 the facts which they felt had a bearing on the question at issue. They examined officers of the company on financial matters, interviewed government officials and statistical agencies and employers and employes in outside industries. Other fact-finding committees were appointed in other classes to develop the facts bearing upon wage questions which they had raised." [137]

548 **D. GOVERNMENT BOARDS AND COMMISSIONS**

(1) *United States Railroad Administration*, 1918–1920

Railroad Wage Commission

The Railroad Wage Commission, created on January 18, 1918, had the following duties:

"The commission shall make a general investigation of the compensation of persons in the railroad service, the relation of railroad wages to wages in
549 other industries, the conditions respecting wages in different parts of the country, the special emergency respecting wages which exists at this time owing to war conditions and the high cost of living, as well as the relation between different classes of railroad labor." [138]

Board of Railroad Wages and Working Conditions

The Board of Railroad Wages and Working Conditions
550 was created on May 25, 1918, as an advisory board to the Director General of Railroads. It was "the duty of the board to hear and investigate matters presented by railroad employees or their representatives affecting—

[137] Pennsylvania Railroad Company, *Employee Representation—The Pennsylvania Railroad Plan*, Philadelphia, 1925, p. 59.

[138] United States Railroad Administration, *Report of the Railroad Wage Commission to the Director General of Railroads, April 30, 1918*, Washington, D. C., 1918, General Order No. 5.

"1. Inequalities as to wages and working conditions whether as to individual employees or classes of employees. 551

"2. Conditions arising from competition with employees in other industries.

"3. Rules and working conditions for the several classes of employees, either for the country as a whole or for different parts of the country." [139]

The reports of the board were submitted as recommendations and were, in general, accepted and incorporated in the Supplement to General Order No. 27 issued by the Director General. 552

(2) *Transportation Act*, 1920 [140]

Title III. Disputes Between Carriers and Their Employees and Subordinate Officials [141]

(Effective February 28, 1920) 553

"Sec. 307. . . .

"(d) All the decisions of the Labor Board in respect to wages or salaries and of the Labor Board or an adjustment board in respect to working conditions of employees or subordinate officials of carriers shall establish rates of wages and salaries and standards of working conditions which in the opinion of the board are just and reasonable. In determining the justness and reasonableness of such wages and salaries or working conditions 554 the board shall, so far as applicable, take into consideration among other relevant circumstances:

(1) The scales of wages paid for similar kinds of work in other industries;

(2) The relation between wages and the cost of living;

(3) The hazards of the employment;

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[139] United States Railroad Administration, Director General of Railroads, General Order No. 27, with its supplements, addenda, amendments, and interpretations as to June 30, 1919, Washington, D. C., 1919, p. 27. 555

[140] United States Statutes, 66th Congress, 2nd Session, Chapter 91.

[141] Title III was repealed on May 20, 1926, and was replaced by the Railway Labor Act. The validity of the principles of wage determination, outlined in Title III, Section 307 (d) of the Transportation Act of 1920 was conceded by the railroads and by their employees. A thorough study of the operation of this Act was made by H. D. Wolf in a book entitled, *The Railroad Labor Board*, (Chicago, 1927) *q.v.*

556 (4) The training and skill required;
(5) The degree of responsibility;
(6) The character and regularity of the employment; and
(7) Inequalities of increases in wages or of treatment, the result of previous wage orders or adjustments."

(3) *Classification of positions in the civil service of New*
557 *York State*, 1932 [142]

The following are statements from the report of the Joint Legislative Committee on Classification of Positions in the Civil Service, transmitted to the Legislature on January 21, 1932. The classifications recommended by the Committee have been adopted by the New York State Civil Service Commission for all positions in the State service except in institutions and in the State Insurance
558 Fund.

"The project covered by this report involved a study of approximately 35,000 positions in the civil service of the State of New York, scattered throughout the State, and disclosed that there are some 1400 distinct kinds or 'classes' of positions calling for different qualifications for entrance. . . .[143]

"The need for such an undertaking as that described has been generally recognized for many
559 years. In 1915 and 1916 a classification and compensation study was made, under the auspices of a legislative committee known as the Horton Committee, but the plans then developed failed of adoption for reasons having no connection with their merit or the need for them. Again in 1922, under the administration of Governor Miller, a classification of positions was begun under the direction of the then, and the present, Director of the Budget, but the work was abandoned at the close of that administra-

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[142] State of New York, *Report of the Joint Legislative Committee on Classification of Positions in the Civil Service.* Transmitted to the Legislature January 21, 1932, Legislative Document (1932), No. 55, Albany, 1932.

[143] *Ibid.*, p. 13.

tion and no practical results came of it. It was not 561
again until 1930, that the inertia that too often hampers progress in public administration was overcome sufficiently to result in provision for undertaking the work again.

"The project dealt with in this report was authorized and undertaken largely on the initiative of the Association of State Civil Service Employees, which urged that such a study be undertaken, stating the belief that it would reveal, among other things:

(a) Inequalities in the salaries paid for positions 562
involving like duties, responsibilities, and qualification requirements.

(b) Variations between departments and bureaus as to personnel policy toward salary rates, promotions, and other conditions of employment.

(c) Entrance salaries too low to attract the best types of service.

(d) Instances where the State is paying for posi- 563
tions calling for experience or technical service, considerably less than the rates of private enterprise for similar service.

(e) Promotions and salary increases without due regard for either the merit and service of the individual or the real value of the duties performed.

(f) The lack of any uniform or systematic recognition of meritorious service by periodic salary
increases. 564

"The finance committees of the Legislature and the executives of the State had sensed for years the inequities of pay and the vague and misleading titles that have been prevalent. . . . The Civil Service Commission had long felt the need for a systematic and significant classification of positions according to their true character, and for properly related salary rates, perhaps more keenly than any other agency concerned. . . .[144]
565

"The project now completed was publicly endorsed by the leading spokesmen of both the legislative and the executive branch of the government. . . .

"In the course of the work of actually classifying the positions in the service, the Committee has fully proved for itself that such inconsistencies and in-

[144] *Ibid.*, p. 22.

566 equities, such lack of plan and system in personnel matters, as were previously believed to exist, actually do pervade the service. . . .[145]

"Above all, there is no basis for determining the correct rates of pay for different positions, absolutely or in relation to each other. . . .[146]

"It is to be understood that the proposal for adoption of a classification plan merely advocates applying to the state's employments the same processes of
567 classification and definition that have been used to simplify the complex problems encountered in all other branches of science and human endeavor. . . .

"The procedure in developing such a classification involves a number of steps. The following statement of these steps will, in itself, serve to explain the nature of the classification plan:

1. That of getting together at one time and in one place the actual, essential facts as to the duties and
568 responsibilities of all the positions in the service to be classified.

2. That of finding out, by analysis of these facts, how many, and what, distinct kinds of employment there are in the service—that is, positions whose actual duties and responsibilities call for employes of distinctly different qualifications from those of all other positions in the service.

3. That of designating each kind of employment
569 so found to exist as a definitely-established 'class,' with a distinctive title, to distinguish it from others of different kinds.

4. That of defining each class in clearcut, written 'specifications,' definitely setting up the duties, responsibilities, and qualification requirements that positions of the class have in common and that distinguish them from positions of other classes.

5. That of 'allocating' or assigning each position in the service to its appropriate class according to
570 its actual duties, responsibilities, and qualification requirements, and thus definitely earmarking each position as being of a clearly-defined kind or 'class,' to be known thereafter by the specific title of the class, so that there can be no doubt of the real nature of the position. . . .[147]

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[145] *Ibid.*, p. 23.
[146] *Ibid.*, p. 34.
[147] *Ibid.*, p. 35.

"One of the most important uses and purposes of a consistent and comprehensive classification of positions is in the determining of compensation rates. Such a classification provides a basis of relation between different kinds of employment on which specific rates can be founded. Without some such orderly plan as a sound classification to provide a background, any attempt to fix rates that will be fair and equitable is hopeless from the start. There is nothing to tie to, no definite points to which the rates can be related. . . .[148] 571

"With the relative value of different kinds of work, represented by separate classes thus definitely determined and clearly set up in an orderly schedule of scales of pay applicable, the personal element of the value of the incumbent on such work as that of the class can be determined as a separate and distinct matter and be given effect in the fixing of the individuals rate within the scale for his class. . . . 572

"With such a plan in operation, the determination of the compensation rate for any individual position becomes almost automatic. The duties of the position determine its class; the class determines the scale of pay applicable. . . .[149] 573

". . . A great mass of comparative data as to rates of pay in employments of similar and related kinds in outside employment in New York State, and those in public employments of neighboring states and other states with similar problems and the ideas of employees and administrative officials as to the rates that should apply, has been brought together and analyzed. Suggestive scales of pay have been developed on the basis of these data, for the several classes of positions covered by the classification plan. . . .[150] 574

"The methods followed in the conduct of the work have followed closely the standard practice that has been developed, and progressively improved upon, in the course of recent years.

"The Horton Committee report followed the lines largely in vogue up to that time of dividing positions rather roughly into broad services, groups, and grades 575

[148] *Ibid.*, pp. 36–37.
[149] *Ibid.*, p. 38.
[150] *Ibid.*, p. 39.

576 which were stressed as the important elements of the classification. Ultimate classes of like positions, now recognized as the vital and basic elements in classification, essential for the systematic control of personnel processes, were not clearly recognized, and to a large extent the concepts of final classes were not developed at all.

"The present classification follows the lines laid down in 1919 and 1920 in the Canadian classification and the
577 original federal classification of positions in the District of Columbia, as developed and improved upon in later projects, notably those of Montreal, Baltimore, Philadelphia, Detroit, Cleveland, Maryland, New Jersey, and Massachusetts, the recent work of the Personnel Classification Board in the federal service, and that in the State of California, and in other recent projects. This practice and procedure is well summed up as standard practice in the proceedings of technical groups of leading authorities
578 in the field of public personnel administration. . . .[151]

"There are no available facts or figures of wide enough scope and sufficiently particularized application to afford any dependable basis of fixing any defensible plan of variations from place to place within the State. Nor in the light of studies that have been made along such lines, would such a basis be provided even if huge expenditures were to be made for detailed studies of costs and rates of pay from locality to locality. . . .[152]

579 "It has been expressed as an essential idea of consistent compensation scales that they should be based upon the principle of like pay for like work. If they are to have any fairness and equity the likeness of the work should extend not only to the nature of the work performed, but to its quantity and its quality. . . .[153]

"No matter how sound and consistent any classification and compensation plans might be at the time of their adoption, they will not put themselves into effect or apply themselves in operation. In fact, even the best of
580 systems will not even 'stay put' because the service itself

[151] *Ibid.*, p. 40.
[152] *Ibid.*, p. 46.
[153] *Ibid.*, p. 49.

is not a static thing, but a live and growing organism 581
subject to the continual flux and change. The classification and compensation plans based upon it, must therefore change currently as required to keep in touch with the service. Therefore, provision for an agency to provide for currently administering and making changes in the plans in effect to keep them adapted to the service and to outside conditions, is a necessity if the classification and compensation plans are to continue to be effective. . . .[154] 582

"The more recent trend of developments has been in the direction of constructive, trained service in all matters related to personnel, rather than mere protection against spoils. Such protection is not weakened however, but strengthened, by being made part of a broader personnel program. . . .[155]

"Such principles are advocated by such bodies as the National Civil Service Reform League, the Assembly of 583
Civil Service Commissions, and other nation-wide organizations, and the leading individual authorities, in the public personnel field.

"New Jersey has recently adopted a new civil service law drafted along these lines. Wisconsin and California have also taken action in the same direction. Many other jurisdictions have taken at least some steps toward the formal adoption of the new concept of comprehensive and constructive service, or practical steps toward im- 584
provement of their working procedures through classification and compensation plans, improved testing techniques, and other details of the broader plans. Systematic classification and compensation plans, the most basic of all the necessary improvements, have been most general in their acceptance. The governments of the United States and Canada, the states of Massachusetts, New Jersey, Maryland, Wisconsin, and California, the cities of Chicago, Milwaukee, Baltimore, Cleveland, Detroit, Montreal, and many others, have placed classification and 585
compensation plans in effect and have improved their operating procedures by basing them on such plans."[156]

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[154] *Ibid.*, p. 51.
[155] *Ibid.*, p. 53.
[156] *Ibid.*, p. 54.

586 **E. MEDIATION AND ARBITRATION AWARDS, 1924–1934**

Boston Elevated Railway Co. and Division 589 of the Street Railway Union, Boston, Mass., Arbitration Award, October 15, 1924

"The principle which applies to the relation between wages and the financial condition of employers, as generally stated by arbitration boards, by Federal judges in receivership matters and by such authorities as Justice
587 Higgins, of the Arbitration Court of Australia, and Chief Justice Taft when chairman of the War Labor Board, is, in substance, that the employee is not a partner or joint adventurer, sharing in profits and losses, and that his remuneration ought not to depend on these contingencies. . . .

"It is proper, however, to say in this connection, lest the fairness of the company as an employer be questioned, that employment with it is practically as permanent as the employee may desire. . . .
588 "The only question, however, that we are now concerned with is that of the wage. Taking into consideration all the relevant factors, the nature of the employment itself, the prices paid for labor in many of the trades, the wages paid to motormen and conductors in certain large cities of the country, the persistently high cost of living and the several budgets of family expenses, while we think that 75 cents an hour, would, under more favorable conditions, constitute a just and
589 fair basic wage, in the present circumstances, giving due consideration to the present trend of the company's income and to the total outgo entailed by an increase, we are of opinion that 72½ cents an hour is a reasonable hourly wage, and we accordingly fix it in that amount."[157]

Order of Railway Conductors and the Brotherhood of Railroad Trainmen, employed on fifty railroads in
590 *the eastern part of the United States, Arbitration Award under Railway Labor Act, December 1, 1926*

An award was made of an increase in pay of 7½ per cent over the existing rate, instead of 19 per cent increase that was asked by the employees. The award was made "after full consideration of all the conditions and circumstances presented in the record, and of

[157] United States Department of Labor, Bureau of Labor Statistics, *Monthly Labor Review*, January, 1925, pp. 116–117.

the peculiar, exacting, hazardous, and responsible char- 591
acter of the services performed by these employees." [158]

American Express Co. and employees connected with Local Union No. 658, International Brotherhood of Teamsters, Chauffeurs, Stablemen, and Helpers of America, St. Louis, Missouri, Arbitration Award, January 18, 1927

"The questions referred to the board were:

(a) Are the employees of the American Ex- 592
press Co. in vehicle service in the city of St. Louis, Missouri, receiving rates of wages that are just and reasonable?

(b) If the board decides they are not receiving just and reasonable wages, what shall their wages be?"

In answering these questions the board observed:

"(1st) The scale of wages paid for similar kinds of work in other industries in the city of St. Louis; 593

"(2nd) The training and skill required;

"(3rd) The degree of responsibility;

"(4th) The character and regularity of the employment."

The board reached the conclusion that the existing wages were not just and reasonable, and ordered increases according to the type of work.[159]

594

Printing Pressmen and Newspaper Publishers, Portland, Oregon, Decision by the International Board of Arbitration for the Industry, on appeal from award by local arbitrator.

"It is also urged that the pressmen should be provided with an adequate differential for their skill and for the requirements of their occupation. That skilled workers should receive higher wages than the unskilled is granted. The present scale, however, provides a very 595
liberal differential for the pressmen. Their hourly rates are, for example, virtually double those of the unskilled labor."

The issue was raised as to whether the wage scales prevailing over the Pacific Coast as a whole, which were

[158] *Ibid.*, January, 1927, p. 222.
[159] *Ibid.*, May, 1927, p. 262.

596 appreciably higher than those for the rest of the country, should be ordered in Portland. Pacific coast wages in general exceeded those in Portland not merely in the pressmen's trade, but for virtually all crafts and industries.

"There remains only the question as to whether the productivity of industry in general and the financial prosperity of Portland newspapers in particular does not justify an increase in wages. That there has been
597 an unprecedented increase in per capita productivity since 1921 is evident." [160]

Omaha Typographical Union No. 190 *and three newspapers published in Omaha, Nebraska, Arbitration Award, February* 17, 1927

"1. Relative wage: It is the chairman's judgment that in education, intelligence, skill, and resourcefulness the printer stands very high among, if not the sum-
598 mit of, the crafts and that this is reflected in the annual wage of printers relative to other crafts in Omaha....

"Underlying the whole argument of relative wage is the assumption that a proper scale has been reached in all crafts except the one under consideration; a groundless assumption. . . .

"2. Cost of living: This important factor in wage adjustment has been presented at length. . . .

"3. Hazards: The hazards of this craft can not be
599 rated very high. The danger of lead poisoning... can be provided against by methods of hygiene, very largely within the control of the worker....

"4. Training and skill: The requirements are very high, and if less manual dexterity is needed then in certain other crafts, this is balanced by the higher demands on education and intelligence.

"5. Responsibility:" The union has enforced high standards of performance by refusing countenance to
600 careless and indifferent workers. It has shown morale and loyalty, for it is not charged that the quality of service has deteriorated in the frequent wage disputes that have supervened.

"6. Character and regularity of employment:" The point is rejected that "because a business is continuous

[160] *Ibid.*, August, 1927, pp. 222–223.

throughout the year, so must the laborer work continu- 601
ously. This is a matter of adjustment of load to the personnel that is to carry it." Some employers "enforce vacations from an enlightened sense of their own interest, to promote efficiency and improve morale. . . .

"Effect of increased wages: The publishers urge that increase in wages can be only at the expense of other workers unless such increase be accompanied by increased per capita production.... There is an underlying assumption that the present ratio of the distribution 602
of income is the best possible.

"Scale of other cities: The union submits the rates of a number of western cities, all materially higher than Omaha....

"Consequences to publishers: This is implied to be ruin, or near-ruin, to two of the papers, a most unwished-for calamity to the city. The contrary union point of the ultimate advantage derived from the destruction of industrial enterprises which are parasitic upon labor is logical, but extreme."[161] 603

Shop Crafts—Chesapeake & Ohio Railway, Arbitration Award, under the Railway Labor Act, April 14, 1928

"In our opinion other factors that influence wages ought to be given consideration along with inequalities of wages. It is admitted by both parties to this case that wages should not be equal for all kinds of work. It 604
is just and reasonable, for example, that a difference should exist between the wages of a coach cleaner and the wages of a machinist, or between the wages of a brakeman and the wages of a conductor. The reason for a difference is this: That the factors which determine wages vary in strength from one kind of employment to another. Thus all employees must bear some responsibility, but some must bear more than others; in railway employments all may be said to incur some hazards, but some incur more than others; all are 605
subject to some physical and mental strain, but some are subject to more strain than others; all require some strength, skill, and experience, but some require more than others.

[161] *Ibid.*, May, 1927, pp. 263–264.

606 "Some of the factors that determine wages, such as those that have been mentioned, are natural, but there are others which are purely artificial. Taken together they are numerous, and it is the variable force that they exert which brings about different wages for different employments. Certain artificial factors sometimes operate in such a manner as to cause injustice and discrimination to certain classes of employees. Hence arise, at times, wage differentials that are unfair and
607 unreasonable. . . .

"The factors that determine wages vary not only from one employment to another, they vary also within each employment from one period to another. Changes that differ widely among different employments both in frequency and extent take place in methods, processes, equipment, and organization. It follows that alterations occur in the hazard, the strain, the responsibility, the requisite skill of employees, in the productivity of their labor, and in other factors that determine wages. . . .

608 "The Board of Arbitration is asked to decide that because the wage relationship is different, it is therefore unjust. But the board cannot pronounce the existing wage relationship unjust and unreasonable solely for the reason that it differs from the relationship which was established under Federal control nearly a decade ago. We cannot accept the theory that wages in different employments should be made to rise or fall by equal amounts regardless of diverging changes that may take-
609 place in the wage factors that deserve to be considered." [162]

Mortarmen—Portland, Oregon, Conference and Arbitration Board, Rate Effective January 1, 1930

"A rate of $8.00 per day for mortarmen is considerably higher than that paid any place in the country with the exception of a few of our largest cities. Seattle,
610 the nearest comparable city in all respects and with a probably slightly higher cost of living, pays $6.50 for this class of work.

[162] *Ibid.*, June, 1928, pp. 176–177.

"Plasterers' tenders in Portland receive $9.00, and this differential between bricklayer's tenders and plasterers' tenders exists with some exceptions throughout the country, plaster work being generally considered harder work. However, when mortar is mixed by hand and when bricks and mortar are carried by hod the difficulty of the two tasks is on a parity and no logical reason for such differential exists." [163] 611

H. C. Aberle Co., Inc., and its Hosiery Workers, Philadelphia, Pa., Arbitration Board, April 14, 1930 612

"The adjustment . . . is believed to place this plant on a competitive level with other plants in this are in respect to the operations listed. . . .

"As to wage rate determinations there is ample opportunity to practice job analysis and time study with profit both to the management and the workers. As is quite generally the case in this industry, there is a noticeable failure to classify jobs according to the skill 613 required. An unbalanced wage scale results. The first essential of a satisfactory scheme of wage payment is that it shall be easily understood by those affected. Perhaps the most frequent cause of complaint of those employed in the knitting department has been the difficulty in computing earnings. We believe that the present system should be altered so as to meet these objections." [164]

614

The Milwaukee Leader and Newswriters' Union, Local No. 9, *Milwaukee, Wis., Arbitration Award, May* 2, 1934

"The arbiter has given serious consideration to the arguments made by both parties on the question of the justification of higher pay and the ability of the publisher to increase wages to any considerable degree. The publishers did not combat the union's arguments for the justice of increased pay. They did not refute the 615 evidence presented by the union that the wages of Leader editorial department employees are below the average of other newspapermen. The publishers called attention to extraordinary hazards encountered because

[163] *Ibid.*, April, 1930, p. 131.
[164] *Ibid.*, June, 1930, pp. 114–145.

616 of the character of the newspaper as an exponent of the cause of labor; its restricted field of advertisers; its struggle for the existence of the newspaper. . . .

"It is not the custom to establish wages according to the minute qualifications and abilities of the individuals of a particular group. Wage scales are usually set on the least amount an averagely competent employee shall work for. When, in the light of what is accepted as competency, an employee is not worth the minimum, he
617 should not be a burden on the whole crew. For this reason a provision is inserted in most working agreements recognizing the circumstances under which an employer is not required to retain an employee. Extraordinary ability is expected to be compensated at a higher rate than the minimum." [165]

F. THE FOLLOWING ARE EXCERPTS FROM PROFESSOR FEIS' BOOK:—A COLLECTION OF DECISIONS PRESENTING PRINCIPLES OF WAGE SETTLEMENT.[166] THIS MATERIAL COVERS THE PERIOD FROM 1900
618 **TO 1923**

"The collection is not designed as an argument in favor of any one set of principles for use in American industry. It is intended to present all the more important principles that have been in use. . . . The whole collection is but material to feed the reader's judgment, not an attempt to convince that judgment. . . ." [167]

619 **"I. Problems of Wage Settlement Connected with the Practice and Principle of Wage Standardization**

"THE CHARACTERISTICS OF THE STANDARD WAGE

"The introduction of the principle of wage standardization into industry may be traced to two dominant tendencies. These are first, the tendency toward standardization of the processes of production, second, the growth of collective bargaining. As a result of the first tendency it has come about that large numbers of
620 men, members of the same craft, perform work of essentially the same kind and difficulty under conditions

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[165] *Ibid.*, September, 1934, p. 713.

[166] Feis, Herbert, *A Collection of Decisions Presenting Principles of Wage Settlement*, New York, 1924.

[167] *Ibid.*, p. 5.

approximately similar. As a result of the second tendency, a natural expectancy has grown in the minds of these large numbers of men that, making exception for those who are well below or above the rest in ability or experience, the basic wage for all of them should be the same; or in other words that the wage received should not vary with the fortunes or practices of the particular enterprise in which they are employed, or with the relative bargaining power of different individuals. 621 622

". . . . Ordinarily demands for wage standardization in a craft or industry hitherto unstandardized, have taken the form of a demand for the general payment of the higher range of wages already being paid by some employers of the craft. . . .

"The principle of standardization has been well defined as a means 'designed to abolish within a given area the multiplicity of rates paid for similar service by the application of one standard rate for each occupation, minor differences in the nature of the work due to 623 *varying physical and other conditions being disregarded.*' Where the principle is applied, the possible influence on the wage bargain of the economic position of the individual wage earner, and the effect of differences of policy and efficiency of different employers, is greatly lessened. Furthermore, in the case of competitive industries, the use of this principle tends to prevent individual enterprises from gaining advantage by pressure upon wage rates. For this reason employers 624 frequently favor the principle.

"Standard wage rates are designed to be minimum rates for the occupations for which they are set—applicable to all those workers in the occupation who are at or around the average in ability and experience. . . . It is well confirmed that they do not necessarily become maximum rates, nor even in many cases approximate that result. Any satisfactory standardized wage scale recognizes all significant differences between various 625 kinds of work and competency."[168]

Report of the United States Anthracite Coal Commission (1920)

"The board of conciliation shall act as a commission to make a study of, and report to, the Joint Conference

[168] *Ibid.*, pp. 13–14.

626 at the expiration of this contract, or sooner if practicable, the matter of uniformity in day rates for the several occupations of day men of the respective collieries in the anthracite field. . . .'' [169]

Ladies' Garment Industry, Cleveland, Standard Wage Scale, Effective May 1, 1921

''Any employee enumerated in the annexed schedule
627 during the first year of his, or her, employment in the trade, shall receive the following wages:

''Men

For the first six weeks.....	$14.00 per week
For the next 4½ months.....	17.00 per week
For the next six months.....	20.00 per week

''Women

For the first six weeks.....	$12.00 per week
628 For the next 4½ months.....	14.00 per week
For the next three months.....	15.50 per week
For the next three months.....	17.00 per week

''Piece prices shall be computed on a basis that will yield to workers of average skill and experience the rates specified for each class.

''*Overtime*—All week workers and piece workers shall receive pay at the rate of time and one-half for overtime. For piece workers; computed as follows: total
629 earned for the week on normal basic rate divided by number of hours of work, and for each overtime hour shall receive additional pay at one-half the regular hourly earnings.'' [170]

Cases of Employees v. *Worthington Pump and Machinery Corporation, etc. Decision of Umpire, War Labor Board, Docket No.* 163 (1918)

630 ''The . . . argument . . . that because the old system of classification is a natural growth no change must be made, is an argument which if taken literally would

[169] *Ibid.*, p. 15.
[170] *Ibid.*, p. 16.

have destroyed all progress in the past. If a change is 631
wise on its merits, the mere fact that it may change or alter a natural growth should not prevent its being adopted. . . .

". . . I believe that the principle of classification by trades is sound. I base my belief on the following grounds:

A. It is simple and practicable. The classification of workers by their various trades, as distinguished from 632
the present system of classification, by the various machines, is simple and practicable. . . .

B. It makes it easier to grade the men according to their skill. . . .

C. It tends toward the establishment of standards, and the ascertainment of actual facts. . . ."[171]

United States Shipbuilding Labor Board, Atlantic Coast, Gulf and Great Lakes Award (1918)

633

". . . We have adopted these uniform national rates because experience has convinced us that by this means only can we put a stop to that shifting of employees from yard to yard and district to district which continues to be a chief obstacle to efficient ship production. . . .

"In substituting uniform national rates for the shipyard employees in the different crafts for the diverse rates previously established, so far as this seemed practicable, we have not always been able to give full weight 634
to local conditions. Since the results will be of benefit to the great majority of the employees affected, we feel confident that the minority, who may be less benefited, will cheerfully accept the change in the interest of the greatest good to the greatest number. . . ."[172]

Rochester Clothing Industry, Decision, Labor Adjustment Board, Case No. 2 (1919)

"After going over all the evidence and the arguments, 635
the Chairman was convinced that there is no great difference in the amount of product turned out by those who are now receiving only $25.00 and $26.00 and those receiving $29.00 or more. These inequalities in rates of pay for different men doing the same kind of work

[171] *Ibid.*, pp. 18–19.
[172] *Ibid.*, p. 22.

636 seem to be the underlying cause of dissatisfaction among the workmen who entered the complaint. In the judgment of the Chairman it is important to remove this cause of dissatisfaction. . . ." [173]

History of the Shipbuilding Labor Adjustment Board (1921) Standardization of Piece Rates

". . . The board believed that a uniform piece-rate scale would spur the poorer yards to bring their equip-
637 ment and management to the level of the best. . . .

". . . Conferences were held, under the chairmanship of the secretary of the board, with joint committees representing the yard owners and the different piecework crafts to secure as far as possible joint recommendation as to scales of piece rates that would be fair and reasonable under all of the circumstances. Both sides showed an admirable desire to agree upon a fair scale of rates, and such merit as the scales finally approved
638 by the board may have had was largely due to the work of these joint committees. . . .

". . . With some modifications the joint recommendations were approved and proportional rates fixed for work for which no joint recommendations were forth-coming. . . ." [174]

Rochester Clothing Industry, Award, Case No. 36. Fashion Park Rates for Cutting (1921)

639 "The general rule in considering cases of serious and unjust inequalities as well as in fixing piece rates has been to use the earnings of the workers as the primary consideration and not the rates. . . . The main purpose of the parties to the agreement in fixing the wage levels for the market is to secure substantially the same earnings for workers of equal skill and who exert about the same amount of effort in the various houses." [175]

"Wage Standardization and the Competitive Situa-
640 tion Within an Industry

"One of the strongest arguments for the use of the principle of standardization is that it tends to put all

[173] *Ibid.*, pp. 25–26.
[174] *Ibid.*, pp. 27–29.
[175] *Ibid.*, pp. 32–33.

competing units of an industry within the area of 641
standardization in a position of equality in respect to the wages paid for the various kinds of labor employed. When wages are standardized no competitive advantage can be secured by the payment of wages lower than those paid by competitors. . . . This, it is argued, is of advantage both to the workers and to the more efficient firms in the industry, which can pay the comparatively higher rates. It is assumed in this argument, that the level of standardization, the uniform wage scale adopted, 642
will be that which the more efficient units can afford to pay, rather than the contrary. When the level of standardization is determined by arbitration or adjudication such is usually the case; when the matter is left entirely to collective bargaining it tends to be decided by the relative bargaining power of workers and employers."[176]

Cigar Makers' International Union, Resolution No. 18 *offered to the* 1920 *Convention* 643

"Whereas, the cigar makers in local unions are working at prices in some instances ten to twenty dollars cheaper per thousand and lower than cigar makers and unions of different localities, and, Whereas, cigar manufacturers are taking advantage of the situation, moving their factories or establishing branches of them in cheaper districts. . . . be it resolved by this Convention that the Cigar Makers' International Union adopt as one of its aims the securing of a uniform bill of prices, 644
taking into consideration all the local conditions and necessities of the trade and local interests of the cigar makers, etc. . . ."[177]

Rochester Clothing Industry in matter of the request of the union for equalization of wages in Rochester with other clothing markets, Decision, Impartial Chairman, August 25, 1920

"Under ordinary circumstances it cannot be doubted 645
that a request to equalize labor costs with competing employers and markets is a just request. The intelligent and informed public opinion of America no longer considers it sound industrial policy to permit employers to seek advantage in competing with one another by

[176] *Ibid.*, pp. 33–34.
[177] *Ibid.*, p. 35.

646 getting the same kind of labor at lower wages. Competition among employers should be in efficiency of management, salesmanship and service to consumers, not in getting cheap labor. . . .

"The Chairman is therefore of the opinion that on account of the serious conditions prevailing in the clothing industry in Rochester as well as in other clothing markets no general increases can be granted at the present time." [178]

647 *Shirt Industry, New York City, Board of Arbitration, Decision Case No.* 37 (1923)

". . . The New York shirt market is the only unionized market in the United States and the manufacturers are compelled to compete with non-union out-of-town companies which manufacture not only the cheap grades of shirts but large quantities of the better grades. . . .

648 ". . . The Union says that while recognizing that the manufacturers in this market do have the competition of non-union out-of-town manufacturers, yet there are specific advantages accruing to the New York market. That the larger part of the work done here is on the higher grade shirts on which the competition is limited. That the workers in this market are better skilled than in most of the competing markets, which results not only in a better grade of work but in higher

649 production. . . ." [179]

"WAGE STANDARDIZATION—AND DIFFERENCES IN THE CHARACTER OF THE WORK PERFORMED AND IN THE CONDITIONS UNDER WHICH IT IS PERFORMED

"No matter how highly standardized an industry is, there are differences both within and between the units of the industry in the character of the work carried on by workers of the same craft, and differences in the

650 conditions under which this work is performed. Sometimes these differences are relatively large, sometimes relatively small. Therefore in all attempts to employ the principle of standardization the question arises as to whether the rates established for any type of work

[178] *Ibid.*, pp. 47–48.
[179] *Ibid.*, p. 57.

should be uniform despite these differences, or whether 651
the standard wage rates should be varied on account of them. . . .

"Behind each dispute on this subject there is likely to be a dispute over facts. . . ." [180]

Eastern Railroads v. *Brotherhood Locomotive Engineers, Award, Board of Arbitration in Dispute* (1912)

". . . The engineers in their requests for standardization do not mean the same pay for all kinds of service. 652
The requests involve classification of service. . . .

"The wage schedule now in force in the Eastern, Southern and Western districts shows that the principle of uniformity, with respect to certain points, has been recognized by all American railroads.

". . . The Board holds to the view that the nature of the service rendered is the paramount factor, and that if any standardization takes place, the fact must 653
be recognized that where there is greater responsibility or greater strain there should be larger pay, and this without respect to whether the division operated belongs to a large system, or is independent.

". . . Whatever standardization is attempted by the Board will therefore be by classification of service rather than by classification of roads. . . .

"Many trade unions have succeeded in getting the principle recognized that for any class of service there 654
should be a minimum compensation. . . .

". . . In the opinion of the Board it is desirable that all the factors which enter into the nature of the service should be taken into account, and that the more arduous and difficult service should have greater compensation. With this point of view, the Board feel that at the present time they have gone as far toward establishing uniformity of pay as is practicable, by introducing a minimum wage for each of the important classes of service. . . ." [181] 655

[180] *Ibid.*, p. 61.
[181] *Ibid.*, pp. 63–65.

656 "WAGE STANDARDIZATION—AND GENERAL DIFFERENCES IN ECONOMIC CONDITIONS BETWEEN THE PLACES IN WHICH THE INDUSTRY IS LOCATED

"Like so many other questions connected with the principle of standardization, it may be affirmed that no general rule will meet all cases satisfactorily, and that the 'degree' of the differences in question must be one of the guiding considerations." [182]

657 *U. S. Administration for Adjustment of Labor Differences in Packing House Industries, Decision—Arbitrator* (1920)

"It seems that in the Fort Worth and Oklahoma City plants the common labor rate is 50 cents or thereabout, instead of 53 cents as generally elsewhere in the industry, and one of the demands is to make the rate in these places equal to that in the others. . . . If, however,
658 there was no basis whatever for this distinction, I would be strongly inclined to make the advance in these places. But I find it to be a fact that the usual common labor rates prevailing in these places are in the main somewhat lower than common labor rates in other centers. It was probably out of this that the original difference arose, and I am satisfied there has been no change in this regard up to the present time. I am therefore not now inclined to make the changes in this
659 respect demanded. . . ." [183]

Milwaukee Newspaper Publishers v. *Milwaukee Typographical Union No.* 23, *Findings of Arbitrators,* 1923

". . . The mere fact that a certain wage scale permits such reasonable improvement in living conditions as comes to all of us is not, therefore, necessary evidence that the wage is too high. . . .

660 "It seems impractical to segregate the needs of one group of men in one city for a certain period of time and arrive at a conclusion as to what they ought to receive. The problem is necessarily it seems to us, a relative one and necessarily involves comparisons.

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[182] *Ibid.*, p. 82.
[183] *Ibid.*, pp. 84–85.

"It occurs to us that we can profitably make, among 661
others, the following comparisons:

(a) We can compare the proposed wage scale with wages paid for similar service in other of the larger cities.

(b) We can compare these proposed scales with wages paid at other times, here and elsewhere. (Taking into account in the comparisons mentioned (a) and (b) the varying factor of the cost of living.) 662

(c) We can compare the local scale and its trend over a period of years with the general trend of wages among newspaper printers and industrial workers in general over a similar period. . . ." [184]

"THE PRINCIPLE OF STANDARDIZATION AS APPLIED TO OCCUPATIONS CARRIED ON IN MORE THAN ONE INDUSTRY 663

"It can be stated confident'y that the differences in wages between sections of a craft employed in different industries will always tend to be relatively small—assuming that the advantages and disadvantages of employment in the several industries are approximately equal." [185]

Brotherhood of Maintenance of Way Employees vs. *Alabama and Vicksburg Railway Co. et al., U. S. Railroad Labor Board Decision No.* 1267 (1922) 664

"The Labor Board in its present decision considers all the seven elements or factors set out in the transportation act, 1920, for its guidance in fixing just and reasonable wages, but lays special stress upon the first, which reads as follows: 'The scale of wages paid for similar kinds of work in other industries.' . . .

"In view of these facts and circumstances and all the evidence adduced in this case, the Labor Board is of the 665
opinion that a conservative increase of wages is clearly due to the three groups of unskilled labor and to the section foremen. . . ." [186]

[184] *Ibid.*, pp. 211–212.
[185] *Ibid.*, p. 87.
[186] *Ibid.*, pp. 159–160.

666 "II. **Principles for Settling Wage Differentials Between Different Kinds and Classes of Workers**

"The forces governing 'wage differentials' . . result from a complex combination of changing influences acting more or less haphazardly; they are governed partly by the relative supply and demand situation for different classes (which in turn is largely governed by the abilities required for each type of work, the advantages and disadvantages offered, etc.), partly by differences in or-
667 ganization and bargaining power, partly by the influence of customary differentials....

"In establishing or revising differentials the principles most generally used are (1) that they should justly represent the differences in training, skill or other abilities required for the different kinds of work, (2) that they should allow for differences in advantage and disadvantage in the different kinds of work, (3) that they should be sufficient to attract into every one of the
668 occupations (especially the skilled ones) a sufficient supply of labor and no more....

"The organized bargaining strength of the various grades of workers is usually an important factor in settling wage differentials, whether they are settled by collective bargaining or any other means....

"*How many* differentials should be established, as contrasted with how large they should be, is a question of classification. . . . The question of which and how many differentials it is just and practical to establish is a
669 question of judgment, taking into account the habits and interests of workers, employers and the public...." [187]

New York Employing Printers Association v. *Mailers Union No. 6, Arbitration,* 1920

"In the first place a good deal of dissatisfaction was expressed with the differentials existing between the wages of the various crafts in the industry. The Board had no authority under the existing contract to consider
670 this question. Moreover differentials between various crafts could be adjusted properly with reference to skill and ability required only if one board were arbitrating the cases of all the crafts. Had this been done, or had

[187] *Ibid.*, pp. 111–113.

the three arbitrators who sat in the eight cases acted as 671
one board, it is possible that a better adjustment might have been made in the rates of pay for the various crafts with respect to the differentials between them...."[188]

San Francisco Building Industry, Awards and Reports of Impartial Wage Board, 1922 *and* 1923

Award for 1922—"The task of the Board was to ad- 672
just wages equitably, approximating as closely as possible a compensation which should be a true measure of the value of the service. If the Board could have been guided by the sole consideration of rewarding labor exactly according to skill or economic value, the task would have been comparatively simple. But such a scheme of appraisement, though ideal in theory, is not feasible in practice. While skill should be largely the determining factor of compensation, it cannot, of neces-
sity, be controlling.... 673

"The Board had to bear in mind the lack of continuity of employment in many crafts....

"....There is the further consideration of the varying hazard to life and limb of employment in certain crafts. Where the jeopardy to life and limb is great, the craftsman is legitimately entitled to higher compensation.

"In some of the trades the Board was compelled to recognize a distinct shortage of craftsmen....

"The compensation prescribed is that which is to 674
prevail for the general average skill in the crafts, still permitting allowances in individual instances for adjustments based on variations from that average...."

Award for 1923—"It would serve no purpose to restate the basis adopted by the Board for the establishment of a wage scale, which basis is fully set forth and detailed in the report accompanying the wage scale established for the year 1922. It is, however, necessary to indicate that the wage scale now established differs 675
from that of the year 1922 only in the case of a very few crafts....

"With respect to the increases established it is to be noted that in most instances these have been dictated by the unusual conditions now prevailing in the building industry....

"The compensation prescribed is that which is to

[188] *Ibid.*, p. 114.

676 prevail for the general average skill in the building crafts, permitting allowances in individual instances based on variations from that average. Variations downward, however, shall be permitted only in the case of individuals who, by reason of old age or physical disability, are no longer capable of performing the work of the average mechanic. This is simply in accordance with a custom which has long prevailed in this community. On the other hand, there shall not be denied
677 to the individual mechanic possessing greatly superior skill additional compensation warranted by the superiority of his output." [189]

III, IV, V

These sections deal exclusively with cost of living and are therefore omitted since this argument concerns itself only with principles of wage determination on the basis of value of services rendered.

678 **"VI. The Principle of 'Comparison with Wages in Other Industries'**

". . . . . The conclusion offered in this—that under present circumstances the principle of comparison will not work satisfactorily as a basic principle of wage settlement, but can be a useful subsidiary to such others as are used. Its best service comes as a check to their operation, or to the operation of unregulated
679 economic forces. It is a principle by which it may be possible to avoid the more extreme and most troublesome of unjustified wage differences between industries. On the one hand its application would tend to prevent extreme depression of wages in any industry. . . . On the other hand extreme use of bargaining power by particular groups of wage earners could be discouraged if and when it was judged that the public interest was seriously threatened. . . .

"It is both desirable and inevitable that in the settle-
680 ment of wage disputes some comparison between wages in different industries should take place, and the principle under discussion represents that conclusion. It is also fairly evident that this principle must be used in combination with other principles, and in the editor's opinion, secondary to them—as a check upon them. . . ." [190]

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[189] *Ibid.*, pp. 120–122.
[190] *Ibid.*, pp. 341–342.

Boston Elevated Railway Company and Boston Carmen's Union, Decision 589, *Report of Board of Arbitration* (1914)

"On the whole, we think that the evidence relating to other occupations is not very helpful in determining what the wages of blue-uniform men should be. So far as the conductors and motormen are concerned, wages of cigar-makers, printers, or men engaged in the printing trades, are not very helpful, though it was proper enough that they should be introduced, and the Board, in determining the question whether the blue-uniform men should have an increase and what the increase should be, has given some consideration to this line of evidence offered on behalf of the men. . . .

"So far as the shopmen are concerned these outside wages have distinctly more bearing. . . .

"It is also true, we think, that an employee of the Elevated or most of the employees of the Elevated, are given continuous work throughout the entire year, and are not obliged to lose time in turning from one job to another, or to lose time because of the usual seasonal fluctuation which occurs in the building trades or to lose time because of the recurring greater fluctuations due to two or three years active building construction followed by a year or two of dullness. . . .

"The wage rates of other Massachusetts street railway companies have a vital and direct bearing upon the question of wages in Boston. . . ."[191]

Brotherhood Railroad Signalmen vs. *Atchison, Topeka and Santa Fe Railway System et al., United States Railroad Labor Board, Decision No.* 1893 (1923)

"In so far as the building trades are concerned, they furnish no safe criterion at this time by which one can be guided in the fixing of wages for railway employees. . . . The supply of labor is not equal to this extraordinary demand. Hence, the abnormally high wages in the building industries. . . .

". . . Against this factor, however, the railway employees will consider, and the Railroad Labor Board must consider, the irregularity of employment in the building trades as compared with the continuity and steadiness of the employment of the particular class of

[191] *Ibid.*, pp. 345–346.

railway employees in question. . . .

"The question as to what extent the Board should consider an upward trend in the wages paid in other industries, unaccompanied by any appreciable increase in the cost of living, is a difficult one. This one factor alone might in some instances justify a wage increase. It will rarely happen, however, that it exists without the concurrence of other factors of more or less weight." [192]

Alabama and Vicksburg Railway Company et al. v. *U. S. Brotherhood of Maintenance of Way Employees, etc., et al., United States Railroad Labor Board, Decision* 1028 (1922)

"The Labor Board is of the opinion that after the reductions made under this decision, common labor on the railroads will still be receiving, as a rule, a wage in excess of that paid to similar labor in other industries, and that the same will be true of all other classes of labor covered by this decision. The board is of the opinion, however, that the hazards and hardships of the employment, the training and skill required, the degree of responsibility to the public, and other elements mentioned in the statute, combine to justify the payment of a better wage to these employees than is paid to similar labor in outside employment. . . .

"Moreover, the board is not in sympathy with the idea that a governmental tribunal, empowered to fix a just and reasonable wage for men engaged in serving the public in the transportation industry, should be controlled by the one consideration of the low wages that may be paid to other labor in a period of temporary depression and unemployment. It is but just to say that railway managements have indicated no desire for such a result." [193]

[192] *Ibid.*, p. 352.

[193] *Ibid.*, pp. 362–363.

"DIFFERENCE IN REGULARITY OF EMPLOYMENT AS A REASON FOR WAGE DIFFERENCES BETWEEN INDUSTRIES." 691

Ladies Garment Industry, Cleveland, Decision of the Board of Referees No. 3 (1921)

1921 *Decision*—"Since July, 1918 when the Board of Referees undertook its duties in Cleveland, two notable advances in the conditions in the industry have been made—(1) the establishment of a standard wage scale 692 affecting all shops and all classes of workers—(2) the adoption of production standards now well on the way to installation. The next desirable step to be taken is to break up one of the vicious features of seasonal industry by providing for as much continuity of employment as is practicable. The manufacturers express their belief that a reduction in wages at this time will of itself greatly stimulate trade and insure to the workers a reasonable amount of continuity with its accompanying 693 larger annual earnings. . . . We do not feel that this will be of itself sufficient or that the risk should be thrown entirely upon the workers. We, therefore, believe that the time has come when the regular workers in the industry are entitled to a guaranteed minimum period of work or compensation for the lack of it. Such guaranty is a proper and necessary burden on the industry, an obligation which the manufacturers of Cleveland have always recognized. It is all the more desir- 694 able and justified in this industry in Cleveland because the workers have for the past year contributed their full share, at heavy expense to the Union, to the creation and establishment of standards of production." [194]

"VII. The Principle of Wage Adjustment with Reference to Production

"There has always been a widely entertained opinion especially among employers that wages should be adjusted 695 with reference to production. This opinion has been given expression in a variety of ways and in different systems of wage payments. . . .

"It comes about that no matter what theoretical claims are made for this principle, it is rarely accepted as the sole basis of a wage settlement. Somewhere in

[194] *Ibid.*, p. 370.

the course of wage negotiation the question of the basic rate or earnings—to be paid for an ordinary amount of effort or output—must be agreed upon. And in settling the basic rate, study must be, and is, given to facts outside of individual or group production and the employer's calculation of unit labor cost. The principle of the 'adjustment of wages with reference to individual or group production' becomes merely an adjunct to wage policy, albeit an important one.

". . . As one element in a general policy it may be applied: (1) so as to result in the adjustment of individual wage rates or earnings to individual production—as in the various systems of payment by results; (2) so as to result in the adjustment of the wage rates or earnings of each and all the workers of a class in an enterprise or industry to the production of them all. These two methods may be combined in various ways. . . .

"We can turn to the second method by which the principle of wage adjustment with reference to production may be applied—adjustment to the production of all workers of a class in an enterprise or industry. . . . Usually they have taken the form of establishing definitely by agreement a minimum standard of production to be given by each worker for the agreed upon standard time rate (a rate established by bargaining or by the use of some such principles as are presented in preceding chapters). Such, for example, is the minimum standard of production set for linotypers in the printing industry.

"If and when such a standard of production is established it may be sound and practicable to adjust wages in that industry to changes in the established standard. . . .

"Even when no definite minimum standard of production has been established in an industry it is entirely possible that this principle should be invoked in wage controversies. There are many instances of wage demands based on the claim that the workers concerned have been producing more than formerly, or that their productive efficiency has increased. A recent controversy over the wages of postmen may be given as an instance of this kind, the increased volume of mail handled per postman being one of the leading arguments put forward in favor of the demand for a wage increase. There have been also demands for wage reduc-

tion based on the claim that the production of the workers has fallen off. 701

"The great difficulty in passing judgment upon cases of this type is that in modern industry it is far from easy to establish the causes of any change in the production or productive efficiency of any grade of workers—even if the change itself can be established. The technique of industry changes often, many different crafts are usually employed upon the same product. Managerial methods change. Workers and employers are apt to assign a different reason to changes in production. Yet that is not sufficient reason for not considering the use of this principle in demands of this type—to the extent that the facts can be ascertained. . . ." [195] 702

Leather Goods Industry, New York City, Decision, Impartial Chairman (1921)

"In addition to this award, the arbitrator is of the opinion that there ought to be some increase in production. The lack of records, however, makes it impossible to say how much this should be. Lack of records also makes it impossible to say for what part of the increased production would additional pay be justified. All that that the arbitrator can do under the circumstances is to order in general terms that production must be increased. Details should be worked out by people permanently connected with the industry, such as the arbitration committee, the impartial chairman, and the production committees. 703 704

"These should set to work immediately to install a method of measuring increases or decrease in production. If this is done and by January 1, 1922, the arbitration committee or the impartial chairman find on investigation that production has not improved any or has decreased, a decrease of 5 per cent in all wage rates shall be ordered. . . ." [196]

705

Hat and Cap Industry, New York City, Agreement (1922)

"Immediately upon the signing of this agreement, arrangements shall be made by the union and the association to continue the negotiations that have been

[195] *Ibid.*, pp. 375–378.
[196] *Ibid.*, p. 385.

going on immediately preceding the signing of this agreement for the establishment of a reasonable and uniform standard of production in the trade." [197]

"Upon 'Supply and Demand' as a Principle of Wage Settlement

". . . After a search through the literature of wage disputes, one of the outstanding impressions I am left with is how seldom any effort has been made to give any precise definition to that principle and that expression, or to point out what settlement would be dictated by it in any controversy. . . .

". . . The chief reason is that the principle does not meet the expectations of the present-day industrial world in regard to the matters that should be taken into account in deciding a wage controversy. Workers, employers, the interested public are propounding other questions. Is the wage enough to live on decently compared to current standards of working class life? Can the industry afford to pay more and maintain its strength? Must the wage be reduced in order to aid the industry out of a passing depression? etc. Current opinion is inquiring into these matters and others that seem to it pertinent, and is not satisfied to know merely how much must be paid to hire the men standing outside the factory gate, or employed in another industry. And the principles used in the settlement of wage disputes must represent the effort to find an answer to the questions most constantly asked, if they are to be satisfactory. If public interests insistently introduce ethical or semi-ethical considerations into the issues at dispute, if workers believe the methods of production may be improved, for example, some measure of attention must be given to considerations such as these. That is the chief reason why the principle of 'supply and demand' stated as a policy of wage settlement is found to lack the requirements of a satisfactory policy." [198]

Boston Elevated Railway Company and Boston Carmen's Union, Division 589, *Report of Board of Arbitration* (1914)

"The Company set up as its first argument bearing upon the question of wages that it can secure plenty

[197] *Ibid.*, p. 381.
[198] *Ibid.*, pp. 390–391.

of men at its present scale of wages, and therefore should not be obliged to advance wages. 711

"The evidence does seem to show that the Company can ordinarily secure plenty of men at its present wage scale. The line of evidence is important, and, we think, should be given weight.

"So far as motormen and conductors are concerned we think this line of evidence has less weight than when applied to other employees.

"The record does show that the Company can secure plenty of blue-uniform men, but the record also shows that at the present wage scale the Company cannot hold them in its employ. . . . 712

"It may perhaps be urged that this is of no concern to any one, provided the Company can replace with a new man each dissatisfied man who leaves. But we can hardly accept this view, at least for a Company operating the large heavy modern cars with their powerful motors and high rates of speed through congested city streets. . . . 713

"The men have a right to organize; they have a right to strike as a body. . . . A strike is much to be regretted, not lightly to be undertaken, and unquestionably to be condemned if it is unnecessarily ordered. . . . But it is not in the interest of the men, of the Company, or of the Community to settle the question in this way. In our judgment, the ease with which the Company is securing from day to day employees at the existing wage scale to replace the normal vacancies is a factor to be carefully weighed, but it does not wholly determine the question, especially in the case of motormen and conductors." [199] 714

"Upon the Wage Questions Brought up by the Introduction of New Machinery, and the Principles Upon Which they may be Settled

"These decisions like all others in the volume are printed merely as material for critical judgment, not because of the particular policy they represent." [200] 715

[199] *Ibid.*, pp. 395–396.
[200] *Ibid.*, p. 426.

716 *Rochester Clothing Industry, Board of Arbitration, Case No. 14 (1921)*

"In accordance with General Ruling No. 5 relating to machinery, the firm notified the Union of its intention to introduce five pressing machines in its inside shop, and a joint committee representing the Union and the employer investigated the conditions in the shop and the provision made to protect the pressers against loss due to the introduction of the machines. The com-
717 mittee being unable to reach a final adjustment in the matter, it was referred to the Board of Arbitration. . . .

"In deciding cases of this character the Board is bound by the general rule agreed upon by both the Union and the employers that machines may be introduced on condition that the workers do not suffer thereby.

". . . The rules laid down in General Award No. 5 were designed not to prevent the use of machinery but
718 to regulate its introduction in order to protect the worker against injury and loss. These rules having been met in the present case the employer has a right to introduce the machines. . . ."[201]

Rochester Clothing Industry, Board of Arbitration General Award and Ruling No. 5 (1921)

"Pursuant to Section XX of the agreement providing that the question of the installation of new ma-
719 chinery and the effect thereof on the worker shall be submitted to conference, representatives of the Union and of the employers have been meeting in the office of the Board of Arbitration to work out regulations governing the introduction of various kinds of machines. Because of special conditions surrounding the use of different kinds of machines they have been discussed in separate conferences, and different sets of regulations will be made for different kinds of
720 machinery.

"On the general question of the desirability of the use of machinery there is no disagreement between the Union and the employers. Both parties express the desire to promote progress of the industry by the use of new inventions and new machinery. The Union asks, however, that this progress be not at the expense

[201] *Ibid.*, pp. 431–432.

of the wage-earners, that regulations be established 721
which will safeguard the wage-earners against injury or loss from the introduction of new machines. In general it was agreed that new machines should be introduced on condition that the workers do not suffer thereby." [202]

Report of the United States Bituminous Coal Commission (1920)

722

"The United Mine Workers, through their president, have stated their position on the introduction of machinery and other mechanical devices that tend to increase production and efficiency in the mining industry. The statement fully accepts in principle the desirability of the introduction of such machinery and devices. . . .

"Pending the joint district agreement between the miners and operators covering a fair schedule of rates for piece work or tonnage operation of any new device 723
or machinery, the right of the operator to introduce and operate any such new device or machinery shall not be questioned, and his selection of such men as he may desire to conduct tests with or operate such device or machinery shall not be in any way interfered with or obstructed by the miners or their representatives, provided the wages offered are at least equal to the established scale rates for similar labor. . . .

"In like manner new or untried systems of mining, 724
for instance, long wall, retreating long wall, or the panel system, may be introduced by the operator for the purpose of conservation, increasing production, the lessening of cost, or, in the interest of safety, without his right to make such change being abridged; provided, however, that for this class of work the mine worker shall in the same manner receive the equivalent of the contract rates for the class of work displaced, plus a fair proportion of the labor-savings effected." [203]
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[202] *Ibid.*, p. 427.
[203] *Ibid.*, pp. 432–433.

726 **VIII—LEGISLATION IN OTHER STATES AND COUNTRIES ON HOURS AND WAGES** [204]

Government regulation of the hours and wages of women workers is by no means new.

Since 1886 New York State has had **legislation limiting women's hours of work**, and hours-legislation in other states dates back to 1847. Today
727 44 states have hours regulations (all except Alabama, Florida, Iowa and West Virginia). The list of states, with the year when the first law was passed regulating working hours of adult women, follows:

1847 New Hampshire
1848 Pennsylvania
728 1849 Maine
1851 New Jersey
1852 Ohio
1858 Minnesota
1863 South Dakota
1863 North Dakota
1867 Wisconsin
729 1874 Massachusetts
1885 Michigan
1886 Rhode Island
1886 New York
1887 Louisiana
1887 Connecticut
1889 Georgia
1890 Virginia
730 1890 Oklahoma
1893 Illinois
1899 Nebraska
1901 Washington
1903 Colorado
1903 Oregon
1908 Tennessee
1909 Missouri
1911 South Carolina
1911 Utah
1911 California
1912 Maryland
1912 Kentucky
1913 Montana
1913 Vermont
1913 Idaho
1913 Delaware
1913 Arizona
1913 Texas
1914 District of Columbia
1914 Mississippi
1915 Wyoming
1915 North Carolina
1915 Arkansas
1915 Kansas
1917 Nevada
1921 New Mexico

[204] Compiled by the Women's Bureau of the United States Department of Labor. The most recent statutes or amendments are not necessarily included. For list of publications used, see Appendix, Bibliography, VIII.

In 1934, 38 states had **laws restricting the working hours of men** in some occupations in private employment. Many states, whether or not they regulate such hours, have legislation requiring the observance of an 8-hour day on public works. 731

The following foreign countries have **hours legislation,** usually applying both to men and to women, and in some cases dating back to the early part of the 19th century: 732

Argentina
Australia
Austria
Belgium
Brazil
Bulgaria
Canada
Chile
Colombia
China
Costa Rica
Cuba
Czechoslovakia
Dominican Republic
Ecuador
El Salvador
Estonia
France
Great Britain
Greece
Guatemala
Holland
Honduras
India
Italy
Lithuania 733
Luxemburg
Mexico
New South Wales
New Zealand
Nicaraugua
Norway
Panama 734
Peru
Poland
Portugal
Roumania
Russia
Spain
Sweden
Switzerland 735
Uruguay
Venezuela
Yugoslavia

736 Seventeen states and 21 foreign countries have **minimum wage laws** which are now in effect.

The states, with dates of passage of the laws, are as follows:

Massachusetts 1912 (new law—1934)
California 1913
737 Colorado 1913
Minnesota 1913 (for minors only)
Oregon 1913
Wisconsin 1913
North Dakota 1919
South Dakota 1923
738 Washington 1913
Connecticut 1933
Illinois 1933
New Hampshire 1933
New Jersey 1933
New York 1933
Ohio 1933
Utah 1933 (earlier law 1913)
Rhode Island 1936

New Zealand passed the first minimum wage law in 1894. Other countries which have enacted minimum wage laws since that time are as follows:

New Zealand
Australia (by province)
Great Britain
739 Germany
France
Mexico
Canada (by province)
Argentina
Norway
Union of South Africa
Czechoslovakia
740 Hungary
Uruguay
Spain
Italy
Russia
Chile
Ecuador
Costa Rica
Cuba
Peru

The following states have other legislation dealing with the **payment of wages** and the method, form, time or frequency of such payment: 741

Arizona	Montana
Arkansas	Nevada
California	New Hampshire
Colorado	New Jersey
Connecticut	New Mexico 742
Florida	New York
Georgia	North Carolina
Idaho	Ohio
Illinois	Oklahoma
Indiana	Oregon
Iowa	Pennsylvania
Kansas	Rhode Island 743
Kentucky	South Carolina
Lousiana	Tennessee
Maine	Texas
Maryland	Vermont
Massachusetts	Virginia
Michigan	Washington
Minnesota	West Virginia 744
Mississippi	Wisconsin
Missouri	Wyoming

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Table I—Gainfully Occupied Persons in Relation to the Total Population, by Sex, New York State, 1900–1930[1]

751

Sex and Census Year	Population 10 years old and over	Persons 10 Years Old and Over Gainfully Occupied		
		Number	Per cent of population 10 years old and over	752
Total				
1930	10,513,933	5,523,337	52.5	
1920	8,402,786	4,503,204	53.6	
1910	7,410,819	4,003,844	54.0	
1900	5,801,682	2,996,474	51.6	753
Male				
1930	5,259,861	4,108,232	78.1	
1920	4,186,818	3,367,909	80.4	
1910	3,727,218	3,020,158	81.0	
1900	2,877,822	2,324,429	80.8	
Female				
1930	5,254,072	1,415,105	26.9	
1920	4,215,968	1,135,295	26.9	
1910	3,683,601	983,686	26.7	
1900	2,923,860	672,045	23.0	754

[1] Compiled from *Fifteenth Census of the United States, 1930, Population, Volume IV, Occupations, by States*, Table I, p. 1083.

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756 Table II—Gainfully Occupied Women in Relation to Total Persons Gainfully Occupied, New York State, 1900–1930[1]

Census Year	Total number of persons 10 years old and over gainfully occupied	Women 10 Years Old and Over Gainfully Occupied	
		Number	Per cent
1930	5,523,337	1,415,105	25.6
1920	4,503,204	1,135,295	25.2
1910	4,003,844	983,686	24.6
1900	2,996,474	672,045	22.4

[1] Compiled from *Fifteenth Census of the United States, 1930, Population, Volume IV, Occupations, by States*, Table 1, p. 1083.

758 Table III—Proportion of Females 10 Years Old and Over Gainfully Occupied, by Age, New York State, 1900 and 1930

Age	Total number	Gainfully Occupied	
		Number	Per cent
1900[1]			
Total	2,923,860	672,045	23.0
10 to 24 years	1,026,181	332,383	32.4
25 to 44 years	1,149,242	247,875	21.6
45 years and over	744,569	90,711	12.2
Unknown	3,868	1,076	27.8
1930[2]			
Total	5,254,072	1,415,105	26.9
10 to 24 years	1,661,540	555,951	33.4
25 to 44 years	2,075,012	603,712	29.1
45 years and over	1,512,240	253,412	16.8
Unknown	5,280	2,030	38.4

[1] *Twelfth Census of the United States, 1900, Vol. II, Population*, pp. 72–73; *Special Reports, Occupations*, Table 41, p. 351.

[2] *Fifteenth Census of the United States, 1930, Population, Vol. IV. Occupations, by States*, Table 8, p. 1112.

Table IV—Duration of Employment in the Same Industry, Compiled from Special Studies, 1913–1934

Industry and Locality	Date of study	Total number of women reporting	Per Cent of Women Employed in the Same Industry —		Source
			5 years and over	10 years and over	
Hotels and restaurants — New York State	1934	8,945	[1] 25.6	[1] 7.0	N. Y. Department of Labor, Wages and Working Conditions in Hotels and Restaurants, unpublished data.
Beauty shops — 4 cities	1933	1,163	54.3	21.4	U. S. Women's Bureau, Bulletin No. 133, p. 23.
Glove industry — Fulton County, N. Y.	1933	563	[1] 23.8	[1] 9.2	U. S. Women's Bureau, Bulletin No. 119, p. 7.
Cigar industry — 11 states	1929–30	11,885	51.1	28.6	U. S. Women's Bureau, Bulletin No. 100, p. 152.
Cigarette industry — 5 cities	1929–30	2,374	52.3	25.7	*Ibid.*, p. 157.
Slaughtering and meat packing — 13 cities	1928	760	52.5	18.6	U. S. Women's Bureau, Bulletin No. 88, p. 55.
Various industries — industrial women attending adult education classes	1928–30	608	[2] 76.6	[2] 37.7	U. S. Women's Bureau, Bulletin No. 89, p. 41.
	1925	97	[3] 99.0	[2] 47.4	U. S. Women's Bureau, Bulletin No. 54, p. 4.
Various industries — Manchester, N. H.	1919–20	533	40.7	19.3	U. S. Women's Bureau, Bulletin No. 30, p. 93.
Millinery industry — New York City	1914	1,351	57.8	22.9	N. Y. Factory Investigating Commission, 1915, Vol. II, p. 419.
Shirt industry — New York State	1913	8,887	31.5	14.4	*Ibid.*, p. 204.
Paper box industry — New York State	1913	7,330	34.9	14.7	*Ibid.*, p. 263.
Candy industry — New York State	1913	5,265	22.2	8.6	*Ibid.*, p. 332.

[1] These figures apply to length of employment with the same firm.
[2] These figures apply to length of employment "in industry", not necessarily in the same industry.
[3] Includes women with 4 or more years' experience "in industry."

766 Table V—Proportion of Married Women 15 Years Old and Over Gainfully Occupied, New York State, 1890–1930[1]

Census Year	Total number	Gainfully Occupied	
		Number	Per cent
767			
1930	2,738,973	328,460	12.0
1920	2,134,604	194,305	9.1
1910	1,793,558	156,515	8.7
1900	1,393,915	66,090	4.7
1890	1,149,954	42,968	3.7

[1] *Fifteenth Census of the United States, 1930, Population, Volume IV Occupations, by States*, Table 14, p. 1161.

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Table VI—Proportion of Married Women in Various Industries, Compiled from Special Studies, 1913–1934

Industry and Locality	Date of study	Total number of women reporting	Percentage which married women formed of all women employees	Source
Hotels and restaurants — New York State	1934	8,918	29.9	N. Y. Department of Labor, Wages and Working Conditions in Hotels and Restaurants, unpublished data.
Beauty shops — 4 cities	1933	1,216	23.7	U. S. Women's Bureau, Bulletin No. 133, p. 22.
Glove industry — Fulton County, N. Y.	1933	636	40.0	U. S. Women's Bureau, Bulletin No. 119, p. 7.
South Bend, Ind.				
All industries	1930	3,243	43.7	U. S. Women's Bureau, Bulletin No. 92, p. 8.
Manufacturing industries		2,094	48.9	
Clerical		624	22.4	
Sales		179	39.7	
Cigar industry — 11 states	1929–30	13,791	39.3	U. S. Women's Bureau, Bulletin No. 100, p. 151.
Cigarette industry — 5 cities	1929–30	2,387	38.6	*Ibid.*, p. 156.
All industries — Newburgh, N. Y.	1929	1,314	28.5	N. Y. Department of Labor, Bureau of Women in Industry, mimeo. report, p. 13.
Binghamton, N. Y.				
All industries	1926	4,227	48.2	N. Y. Department of Labor, Bureau of Women in Industry, Special Bulletin, p. 16.
Manufacturing industries		3,461	51.1	
Laundries		71	54.9	
Mercantile establishments		667	32.8	
Restaurants		28	46.4	
5 and 10 cent stores — New York City	1921	1,039	23.0	N. Y. Department of Labor, Special Bulletin No. 109, p. 24.
Millinery industry — New York City	1914	1,346	5.4	N. Y. Factory Investigating Commission, 1915, Vol. II, p. 421.
Button industry — New York City	1913	286	3.1	*Ibid.*, p. 343.
Shirt industry — New York State	1913	8,996	11.1	*Ibid.*, p. 179.
Paper box industry — New York State	1913	7,456	5.5	*Ibid.*, p. 233.

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776 Table VII—Plant by Plant Comparison of Hourly Earnings of Women in Six Industries, New York City, 1935[1]

Plant Number	Number of women	Median earnings (cents)	Range of Earnings (Cents)		Per Cent of Women Earning —		
			Lowest	Highest	Less than 25 cents	Less than 30 cents	40 cents and more
777							
All occupations — candy factories							
2	3	40.0	30.0	56.3	.....	.....	66.7
3	24	31.3	27.1	33.3	.....	4.2	.....
4	67	34.6	28.7	37.1	.....	4.5	.....
6	2	[2]	35.0	62.5	.....	.....	50.0
7	3	40.0	35.0	45.0	.....	.....	66.7
8	51	30.2	20.8	44.7	40.0	39.2	3.9
9	15	29.2	29.2	45.0	.....	93.3	6.7
10	88	41.0	40.0	74.0	.....	.....	100.0
12	4	40.4	36.0	45.0	.....	.....	50.0
14	7	32.9	32.8	38.3	.....	.....	.....
15	83	35.0	30.0	70.0	.....	.....	26.5
16	19	35.0	22.5	42.5	5.3	.....	1.6
17	4	59.5	45.0	62.9	.....	.....	100.0
778 18	17	33.7	30.4	78.6	.....	.....	5.9
19	3	35.0	35.0	35.0	.....	.....	.....
21	2	[2]	35.0	62.5	.....	.....	50.0
22	3	35.0	35.0	37.5	.....	.....	.....
23	533	29.2	29.1	102.9	.....	95.1	3.6
Packers — candy factories							
2	1	[2]	30.0	30.0	.....	.....	.....
3	19	31.3	27.1	33.3	.....	5.3	.....
4	43	34.6	28.5	37.1	.....	7.0	.....
6	2	[2]	35.0	62.5	.....	.....	50.0
7	1	[2]	35.0	35.0	.....	.....	.....
8	30	34.5	27.4	44.7	.....	10.0	6.7
779 9	15	29.2	29.2	45.0	.....	93.3	6.7
10	28	40.0	40.0	41.0	.....	.....	100.0
12	4	40.4	36.0	45.0	.....	.....	50.0
15	8	35.0	35.0	37.5	.....	.....	.....
16	16	35.0	22.5	38.0	6.3	6.3	.....
18	17	33.7	30.4	78.0	.....	.....	5.9
19	3	35.0	35.0	35.0	.....	.....	.....
21	1	[2]	35.0	35.0	.....	.....	.....
22	3	35.0	35.0	37.5	.....	.....	.....
23	315	29.2	29.1	31.5	.....	95.9	.....

[1] New York State Department of Labor, Division of Women in Industry and Minimum Wage, *Wages of Women in Six Industries, New York State, 1935*, unpublished report, 1935.

[2] Not computed owing to small number involved.

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Table VII—Plant by Plant Comparison of Hourly Earnings of Women in Six Industries, New York City, 1935[1]—*Continued*

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Plant Number	Number of women	Median earnings (cents)	Range of Earnings (Cents)		Per Cent of Women Earning —		
			Lowest	Highest	Less than 25 cents	Less than 30 cents	40 cents and more
All occupations — paper box factories							
1	21	36.2	24.3	66.0	4.8	14.3	28.6
2	20	41.3	32.5	57.5	.....	.....	75.0
3	9	50.0	40.0	51.4	.....	.....	100.0
4	4	45.0	40.0	50.0	.....	.....	100.0
5	34	45.0	37.5	55.0	.....	.....	97.1
6	5	35.0	32.5	40.0	.....	.....	20.0
7	5	44.5	37.3	57.5	.....	.....	60.0
8	3	50.0	40.0	50.0	.....	.....	100.0
10	2	[2]	35.0	35.0	.....	.....	.....
11	7	50.0	40.0	50.0	.....	.....	100.0
12	7	49.9	40.0	50.0	.....	.....	100.0
13	6	49.7	40.0	52.3	.....	.....	100.0
14	15	50.0	40.0	62.5	.....	.....	100.0
15	5	50.2	40.0	66.5	.....	.....	100.0
16	4	50.0	40.0	50.0	.....	.....	100.0
17	4	40.0	35.0	50.0	.....	.....	50.0
18	8	55.0	40.0	55.0	.....	.....	100.0
19	10	32.5	25.0	45.0	.....	20.0	30.0
20	13	32.5	32.4	40.0	.....	.....	30.8
21	23	40.0	32.5	57.5	.....	.....	52.2
22	23	40.0	32.5	50.0	.....	.....	52.2
23	16	36.3	30.0	52.5	.....	.....	43.8
24	101	35.0	32.4	55.0	.....	.....	36.6
25	3	32.5	30.0	37.6	.....	.....	.....
26	47	46.9	33.2	83.9	.....	.....	57.4
27	24	35.1	32.0	54.4	.....	.....	45.8
28	10	40.0	32.5	42.5	.....	.....	60.0
29	46	33.3	22.2	53.3	4.3	26.1	26.1
30	11	40.0	32.5	50.0	.....	.....	54.5
Strippers — paper box factories							
1	4	38.6	36.2	43.7	.....	.....	25.0
2	4	50.0	50.0	50.0	.....	.....	100.0
3	2	[2]	50.0	51.4	.....	.....	100.0
4	2	[2]	50.0	50.0	.....	.....	100.0
5	13	50.0	45.0	55.0	.....	.....	100.0
6	1	[2]	35.0	35.0	.....	.....	.....
7	2	[2]	45.0	57.5	.....	.....	100.0
8	2	[2]	50.0	50.0	.....	.....	100.0
11	4	50.0	50.0	50.0	.....	.....	100.0
12	4	50.0	49.9	50.0	.....	.....	100.0
13	2	[2]	49.7	49.7	.....	.....	100.0
14	8	52.5	50.0	62.5	.....	.....	100.0
15	2	[2]	50.2	51.2	.....	.....	100.0
16	2	[2]	50.0	50.0	.....	.....	100.0
17	1	[2]	50.0	50.0	.....	.....	100.0
18	2	[2]	50.0	50.0	.....	.....	100.0
19	3	40.0	39.8	45.0	.....	.....	66.7
20	3	35.0	32.5	40.0	.....	.....	33.3
21	5	42.5	40.0	57.5	.....	.....	100.0
22	5	45.0	42.5	50.0	.....	.....	100.0
23	2	[2]	40.0	47.5	.....	.....	100.0
24	1	[2]	42.5	42.5	.....	.....	100.0
25	1	[2]	37.6	37.6	.....	.....	.....
26	25	45.7	33.2	83.9	.....	.....	56.0
27	4	52.6	50.1	54.4	.....	.....	100.0
28	4	42.5	40.0	42.5	.....	.....	100.0
29	3	37.6	36.5	39.6	.....	.....	.....
30	4	43.8	40.0	45.0	.....	.....	100.0

782 783 784 785

[1] New York State Department of Labor, Division of Women in Industry and Minimum Wage, *Wages of Women in Six Industries, New York State, 1935*, unpublished report, 1935.

[2] Not computed owing to small number involved.

Table VII—Plant by Plant Comparison of Hourly Earnings of Women in Six Industries, New York City, 1935[1]—*Continued*

Plant Number	Number of women	Median earnings (cents)	Range of Earnings (Cents)		Per Cent of Women Earning —		
			Lowest	Highest	Less than 25 cents	Less than 30 cents	40 cents and more
All occupations — cotton garment factories							
2	8	37.5	32.5	50.0	.....	.....	37.5
3	1	[2]	62.9	62.9	.....	.....	100.0
4	15	46.5	30.9	68.9	.....	.....	66.7
5	2	[2]	45.3	74.7	.....	.....	100.0
6	7	32.5	27.5	38.9	.....	28.6	.....
9	9	37.1	34.7	64.0	.....	.....	44.4
10	46	54.0	37.3	66.7	.....	.....	93.5
11	42	40.0	31.9	150.0	.....	.....	52.4
12	11	39.7	39.4	42.4	.....	.....	36.4
13	16	44.2	37.3	57.7	.....	.....	68.8
14	3	33.4	32.5	75.0	.....	.....	33.3
15	3	44.4	38.9	55.6	.....	.....	66.7
16	10	78.0	57.1	107.8	.....	.....	100.0
17	59	90.6	39.3	148.4	.....	.....	98.3
18	12	51.6	40.0	56.0	.....	.....	100.0
19	6	43.8	32.5	50.0	.....	.....	50.0
20	18	37.1	18.8	64.4	5.6	16.7	27.8
22	3	31.0	28.5	31.7	.....	33.3	.....
23	8	32.7	32.4	45.0	.....	.....	25.0
24	13	44.7	30.7	76.6	.....	.....	76.9
25	5	52.2	40.0	60.7	.....	.....	100.0
26	7	61.3	34.6	77.3	.....	.....	85.7
27	20	32.7	32.3	42.6	.....	.....	5.0
28	49	45.3	32.6	64.0	.....	.....	75.5
29	9	32.9	23.5	58.8	11.1	22.2	11.1
31	8	47.8	39.5	80.2	.....	.....	87.5
32	20	39.5	35.3	80.5	.....	.....	45.0
33	5	40.9	29.5	54.5	.....	20.0	80.0
34	30	42.7	34.7	125.0	.....	.....	83.3
35	14	44.0	37.8	101.0	.....	.....	92.9
36	19	55.1	40.0	83.1	.....	.....	100.0
37	17	41.7	25.0	58.0	.....	23.5	58.8
39	3	35.0	26.2	39.0	.....	33.3	.....
40	12	42.6	34.3	75.0	.....	.....	58.3
41	4	32.5	27.1	35.0	.....	25.0	.....
42	33	32.5	32.5	60.0	.....	.....	24.2
43	56	42.7	32.8	53.3	.....	.....	69.6
44	24	34.7	34.5	80.0	.....	.....	8.3
45	17	35.0	25.0	37.5	.....	11.8	.....
46	11	32.8	27.8	47.9	.....	36.4	27.3
47	2	[2]	42.9	64.3	.....	.....	100.0
48	7	32.5	32.1	44.3	.....	.....	14.3
49	48	36.1	25.0	47.2	.....	10.4	25.0
50	202	32.5	32.0	88.3	.....	.....	7.4
51	2	[2]	34.4	42.0	.....	.....	50.0
52	19	35.0	20.0	47.6	5.3	15.8	21.1

[1] New York State Department of Labor, Division of Women in Industry and Minimum Wage, *Wages of Women in Six Industries, New York State, 1935*, unpublished report, 1935.

[2] Not computed owing to small number involved.

Table VII—Plant by Plant Comparison of Hourly Earnings of Women in Six Industries, New York City, 1935[1]—*Continued*

Plant Number	Number of women	Median earnings (cents)	Range of Earnings (Cents)		Per Cent of Women Earning —		
			Lowest	Highest	Less than 25 cents	Less than 30 cents	40 cents and more
Operators — cotton garment factories							
2	6	41.0	32.5	50.0	.....	.....	50.0
4	10	44.7	30.9	52.0	.....	.....	70.0
6	7	32.5	27.5	38.9	.....	28.6	.....
10	30	54.7	48.0	64.0	.....	.....	100.0
11	18	38.8	32.5	72.3	.....	.....	55.6
12	10	39.7	39.4	42.4	.....	.....	40.0
16	5	99.7	90.3	107.8	.....	.....	100.0
17	30	98.8	90.0	148.4	.....	.....	100.0
18	7	52.5	40.3	54.7	.....	.....	100.0
20	9	40.2	26.5	64.4	.....	11.1	55.6
23	7	32.7	32.4	45.0	.....	.....	28.6
24	9	53.3	30.7	76.6	.....	.....	88.9
25	2	[2]	59.7	60.7	.....	.....	100.0
26	4	61.3	61.3	77.3	.....	.....	100.0
27	18	32.7	32.5	42.6	.....	.....	5.6
28	30	45.3	37.2	64.0	.....	.....	90.0
29	7	32.9	23.5	39.0	14.3	28.6	.....
31	4	53.6	42.2	60.3	.....	.....	100.0
32	18	40.8	35.3	80.5	.....	.....	50.0
33	2	[2]	54.5	54.5	.....	.....	100.0
34	20	42.7	38.1	60.2	.....	.....	95.0
35	5	60.1	59.7	101.0	.....	.....	100.0
36	12	58.8	53.5	83.1	.....	.....	100.0
37	11	44.1	27.8	58.0	.....	9.1	90.9
40	2	[2]	50.0	75.0	.....	.....	100.0
41	2	[2]	32.5	35.0	.....	.....	.....
42	25	35.0	32.5	60.0	.....	.....	32.0
43	43	42.7	32.8	53.3	.....	.....	83.7
45	11	35.0	30.0	37.5	.....	.....	.....
46	7	37.7	28.6	47.9	.....	14.3	42.9
48	1	[2]	44.3	44.3	.....	.....	100.0
49	38	37.5	25.0	47.2	.....	7.9	29.0
50	108	32.5	23.4	88.3	1.2	9.3	8.3
51	2	[2]	34.4	42.0	.....	.....	50.0
52	11	35.1	25.1	47.6	.....	9.1	36.4

[1] New York State Department of Labor, Division of Women in Industry and Minimum Wage, *Wages of Women in Six Industries, New York State, 1935*, unpublished report, 1935.

[2] Not computed owing to small number involved.

Table VII—Plant by Plant Comparison of Hourly Earnings of Women in Six Industries, New York City, 1935[1]—*Continued*

Plant Number	Number of women	Median earnings (cents)	Range of Earnings (Cents)		Per Cent of Women Earning —		
			Lowest	Highest	Less than 25 cents	Less than 30 cents	40 cents and more
797							
All occupations — knit goods factories							
2	17	50.0	35.2	90.1	.....	.....	76.5
3	14	37.5	35.0	100.0	.....	.....	42.9
4	8	50.0	45.8	60.0	.....	.....	100.0
5	4	41.3	37.5	48.9	.....	.....	50.0
6	19	62.0	48.6	85.7	.....	.....	100.0
7	2	[2]	35.0	37.5	.....	.....	.....
8	10	52.0	39.5	80.0	.....	.....	90.0
9	104	43.8	35.0	87.5	.....	.....	71.2
10	14	73.1	52.5	222.2	.....	.....	100.0
11	1	[2]	50.0	50.0	.....	.....	100.0
12	9	63.0	57.2	85.6	.....	.....	100.0
13	4	39.6	37.5	41.1	.....	.....	50.0
798 14	36	37.5	25.0	72.0	.....	11.1	41.7
15	12	45.7	35.0	71.6	.....	.....	66.7
16	15	39.1	31.9	96.4	.....	.....	33.3
17	4	43.8	40.0	65.0	.....	.....	100.0
18	71	54.9	41.0	171.3	.....	.....	100.0
19	3	57.2	51.4	88.6	.....	.....	100.0
20	38	50.9	39.6	82.0	.....	.....	97.4
21	1	[2]	50.0	50.0	.....	.....	100.0
22	6	62.5	62.5	70.0	.....	.....	100.0
23	8	61.0	55.5	75.0	.....	.....	100.0
24	23	36.0	35.0	55.0	.....	.....	34.8
25	18	38.8	35.0	57.5	.....	.....	50.0
26	2	[2]	55.2	56.7	.....	.....	100.0
27	4	85.6	40.0	85.7	.....	.....	100.0
28	7	61.0	40.0	83.0	.....	.....	100.0
799 29	16	83.3	55.5	97.3	.....	.....	100.0
30	2	[2]	51.5	54.3	.....	.....	100.0
31	54	58.3	46.7	96.0	.....	.....	100.0
32	8	54.3	34.3	71.4	.....	.....	87.5
33	15	56.0	42.0	80.3	.....	.....	100.0
34	93	45.0	30.0	99.1	.....	.....	74.2
35	13	41.3	38.5	52.5	.....	.....	92.3
36	26	57.0	47.1	97.2	.....	.....	100.0
37	2	[2]	35.0	42.5	.....	.....	50.0
38	13	35.1	25.1	37.5	.....	15.4	.....
39	15	38.8	35.0	67.5	.....	.....	46.7
40	152	49.3	34.9	94.6	.....	.....	75.7
41	12	33.5	20.0	57.4	25.0	33.3	33.3
42	1	[2]	33.0	33.0	.....	.....	.....
43	9	42.2	42.0	97.4	.....	.....	100.0
44	2	[2]	46.6	46.6	.....	.....	100.0
800 46	7	47.3	41.7	83.5	.....	.....	100.0
47	6	60.0	60.0	62.9	.....	.....	100.0
48	7	35.0	35.0	50.0	.....	.....	42.9

[1] New York State Department of Labor, Division of Women in Industry and Minimum Wage, *Wages of Women in Six Industries, New York State, 1935*, unpublished report, 1935.

[2] Not computed owing to small number involved.

Table VII—Plant by Plant Comparison of Hourly Earnings of Women in Six Industries, New York City, 1935[1]—*Continued*

Plant Number	Number of women	Median earnings (cents)	Range of Earnings (Cents)		Per Cent of Women Earning —		
			Lowest	Highest	Less than 25 cents	Less than 30 cents	40 cents and more
Finishers — knit goods factories							
2	6	42.5	35.2	62.5	.....	.....	66.7
3	3	35.0	35.0	37.5	.....	.....	.....
4	1	50.0	50.0	50.0	.....	.....	100.0
6	6	54.3	51.4	64.3	.....	.....	100.0
8	3	42.7	39.5	44.4	.....	.....	66.7
9	30	38.8	35.0	50.0	.....	.....	50.0
10	8	60.9	52.2	73.3	.....	.....	100.0
12	4	60.0	57.2	77.1	.....	.....	100.0
14	4	35.0	35.0	40.0	.....	.....	25.0
15	3	37.5	35.0	41.3	.....	.....	33.3
16	3	37.4	35.9	39.6	.....	.....	.....
17	2	[2]	40.0	45.0	.....	.....	100.0
18	25	44.4	41.0	50.0	.....	.....	100.0
19	2	[2]	51.4	57.2	.....	.....	100.0
20	14	49.0	39.6	58.0	.....	.....	92.9
22	1	[2]	62.5	62.5	.....	.....	100.0
23	5	61.0	57.9	61.0	.....	.....	100.0
24	5	35.0	35.0	42.5	.....	.....	20.0
25	6	35.4	35.0	40.0	.....	.....	16.7
28	3	61.0	53.1	61.0	.....	.....	100.0
29	3	61.1	55.5	75.0	.....	.....	100.0
30	1	[2]	54.3	54.3	.....	.....	100.0
31	28	52.8	52.6	69.5	.....	.....	100.0
32	2	[2]	34.3	40.0	.....	.....	50.0
33	3	52.8	46.9	52.9	.....	.....	100.0
34	13	45.0	37.8	60.5	.....	.....	92.3
35	5	41.3	41.2	50.0	.....	.....	100.0
38	3	35.1	35.0	35.1	.....	.....	.....
40	29	41.6	35.0	69.0	.....	.....	62.1
41	7	30.0	20.0	37.0	28.6	42.9	.....
42	1	[2]	33.0	33.0	.....	.....	.....
46	4	44.5	41.7	47.3	.....	.....	100.0
47	5	60.0	60.0	60.0	.....	.....	100.0
48	1	[2]	35.0	35.0	.....	.....	.....

[1] New York State Department of Labor, Division of Women in Industry and Minimum Wage, *Wages of Women in Six Industries, New York State, 1935*, unpublished report, 1935.

[2] Not computed owing to small number involved.

Table VII—Plant by Plant Comparison of Hourly Earnings of Women in Six Industries, New York City, 1935[1]—*Continued*

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Plant Number	Number of women	Median earnings (cents)	Range of Earnings (Cents)		Per Cent of Women Earning —		
			Lowest	Highest	Less than 25 cents	Less than 30 cents	40 cents and more
807 All occupations — handbag factories							
1	2	[2]	51.6	55.0	.....	.....	100.0
2	1	[2]	37.3	37.3	.....	.....	.....
3	3	42.7	36.7	42.7	.....	.....	66.7
4	6	49.3	36.9	68.0	.....	.....	83.3
5	12	54.7	29.2	100.0	.....	8.3	66.7
6	10	40.4	37.3	85.3	.....	.....	90.0
7	2	[2]	58.7	75.0	.....	.....	100.0
8	13	35.1	35.0	40.0	.....	.....	7.7
9	3	53.3	42.7	74.7	.....	.....	100.0
11	4	32.0	30.0	34.7	.....	.....	.....
12	1	[2]	50.0	50.0	.....	.....	100.0
13	5	50.7	35.0	53.3	.....	.....	80.0
14	1	[2]	70.0	70.0	.....	.....	100.0
15	2	[2]	40.0	40.0	.....	.....	100.0
16	48	39.2	34.8	87.5	.....	.....	35.4
808 17	41	37.3	32.0	88.0	.....	.....	31.7
18	2	[2]	42.6	65.3	.....	.....	100.0
19	8	44.0	37.3	56.0	.....	.....	62.5
20	2	[2]	37.5	79.6	.....	.....	50.0
21	1	[2]	43.7	43.7	.....	.....	100.0
22	8	66.0	17.9	90.4	.....	.....	87.5
23	8	39.8	37.1	61.1	.....	.....	37.5
24	4	37.4	37.4	55.0	.....	.....	25.0
25	5	70.0	53.3	89.6	.....	.....	100.0
26	15	56.0	39.2	89.6	.....	.....	86.7
27	8	64.4	37.3	95.3	.....	.....	87.5
28	1	[2]	52.3	52.3	.....	.....	100.0
29	4	42.5	40.0	48.0	.....	.....	100.0
30	2	[2]	40.0	50.5	.....	.....	100.0
31	3	61.3	48.0	67.2	.....	.....	100.0
809 32	4	35.0	35.0	57.5	.....	.....	25.0
33	3	35.4	35.1	35.4	.....	.....	.....
34	1	[2]	35.0	35.0	.....	.....	.....
35	6	35.0	35.0	40.8	.....	.....	16.7
Operators — handbag factories							
1	1	[2]	55.0	55.0	.....	.....	100.0
5	3	89.6	85.3	100.0	.....	.....	100.0
6	3	66.7	64.7	85.3	.....	.....	100.0
7	1	[2]	75.0	75.0	.....	.....	100.0
9	1	[2]	74.7	74.7	.....	.....	100.0
16	1	[2]	42.4	42.4	.....	.....	100.0
17	3	74.7	74.7	88.0	.....	.....	100.0
19	4	50.7	48.0	56.0	.....	.....	100.0
20	2	[2]	37.5	79.6	.....	.....	50.0
810 22	4	77.7	67.0	90.4	.....	.....	100.0
23	2	[2]	37.4	42.9	.....	.....	50.0
25	2	[2]	89.6	89.6	.....	.....	100.0
26	4	89.6	89.6	89.6	.....	.....	100.0
27	3	85.3	85.3	95.3	.....	.....	100.0
29	1	[2]	48.0	48.0	.....	.....	100.0
30	1	[2]	50.5	50.5	.....	.....	100.0
31	1	[2]	67.2	67.2	.....	.....	100.0
32	1	[2]	57.5	57.5	.....	.....	100.0
35	1	[2]	40.8	40.8	.....	.....	100.0

[1] New York State Department of Labor, Division of Women in Industry and Minimum Wage, *Wages of Women in Six Industries, New York State, 1935*, unpublished report, 1935.

[2] Not computed owing to small number involved.

Table VII—Plant by Plant Comparison of Hourly Earnings of Women in Six Industries, New York City, 1935[1]—*Continued*

Plant Number	Number of women	Median earnings (cents)	Range of Earnings (Cents)		Per Cent of Women Earning—		
			Lowest	Highest	Less than 25 cents	Less than 30 cents	40 cents and more
All occupations — retail stores							
3	2	[2]	31.3	31.3	.....	.....	.....
6	1	[2]	35.4	35.4	.....	.....	.....
7	1	[2]	37.5	37.5	.....	.....	.....
9	1	[2]	41.7	41.7	.....	.....	100.0
14	3	31.3	31.3	37.5	.....	.....	.....
15	18	41.4	31.3	59.5	.....	.....	50.0
19	1	[2]	31.3	31.3	.....	.....	.....
20	2	[2]	41.7	41.7	.....	.....	100.0
21	8	52.6	50.0	73.1	.....	.....	100.0
22	8	59.8	40.0	87.5	.....	.....	100.0
23	7	53.8	50.0	87.5	.....	.....	100.0
29	10	38.6	12.5	56.3	10.0	30.0	50.0
30	2	[2]	31.3	48.9	.....	.....	50.0
31	93	32.9	22.4	50.0	18.3	20.4	2.2
32	2	[2]	31.3	41.7	.....	.....	50.0
33	4	45.8	37.5	52.1	.....	.....	75.0
35	5	41.7	33.3	45.8	.....	.....	80.0
36	1	[2]	29.2	29.2	.....	100.0	.....
37	3	41.7	33.0	41.7	.....	.....	66.7
38	4	37.5	25.0	47.9	.....	25.0	50.0
39	1	[2]	25.0	25.0	.....	100.0	.....
40	5	31.3	30.3	36.4	.....	.....	.....
41	8	41.7	36.5	52.1	.....	.....	62.5
42	1	[2]	41.7	41.7	.....	.....	100.0
43	1	[2]	33.3	33.3	.....	.....	.....
44	3	20.8	20.8	25.0	66.7	100.0	.....
45	1	[2]	33.3	33.3	.....	.....	.....
47	1	[2]	31.3	31.3	.....	.....	.....
48	2	[2]	37.5	37.5	.....	.....	100.0
49	5	47.8	43.5	54.3	.....	.....	.....
50	5	31.3	30.9	31.3	.....	.....	.....
51	1	[2]	31.3	31.3	.....	.....	.....
52	2	[2]	31.3	37.5	.....	.....	.....
53	1	[2]	31.3	31.3	.....	.....	.....
54	47	31.3	29.1	31.3	.....	31.9	.....
55	4	34.7	31.3	41.7	.....	.....	25.0
56	4	43.8	41.7	52.1	.....	.....	100.0
60	3	35.0	33.3	37.5	.....	.....	.....
61	1	[2]	35.0	35.0	.....	.....	.....
68	46	33.0	30.2	40.9	.....	.....	2.2
69	1	[2]	31.3	31.3	.....	.....	.....
70	1	[2]	39.0	39.0	.....	.....	.....
71	2	[2]	20.8	25.0	50.0	100.0	.....
72	2	[2]	30.0	37.5	.....	.....	.....
73	1	[2]	45.8	45.8	.....	.....	100.0
74	1	[2]	35.7	35.7	.....	.....	.....
75	1	[2]	62.5	62.5	.....	.....	100.0
76	2	[2]	31.3	31.3	.....	.....	.....
77	7	31.3	31.3	39.6	.....	.....	.....

[1] New York State Department of Labor, Division of Women in Industry and Minimum Wages, *Wages of Women in Six Industries, New York, State, 1935*, unpublished report, 1935.

[2] Not computed owing to small number involved.

816 Table VII—Plant by Plant Comparison of Hourly Earnings of Women in Six Industries, New York City, 1935[1]—*Concluded*

	Plant Number	Number of women	Median earnings (cents)	Range of Earnings (Cents)		Per Cent of Women Earning —		
				Lowest	Highest	Less than 25 cents	Less than 30 cents	40 cents and more
817	Saleswomen — retail stores							
	3	2	[2]	31.3	31.3	.....	.....	.....
	6	1	[2]	35.4	35.4	.....	.....	.....
	7	1	[2]	37.5	37.5	.....	.....	.....
	9	1	[2]	41.7	41.7	.....	.....	100.0
	14	3	31.3	31.3	37.5	.....	.....	.....
	15	13	31.3	31.3	59.5	.....	.....	38.5
	19	1	[2]	31.3	31.3	.....	.....	.....
	20	2	[2]	41.7	41.7	.....	.....	100.0
	21	6	56.6	50.0	73.1	.....	.....	100.0
	22	6	59.8	57.1	72.1	.....	.....	100.0
	23	6	51.9	50.0	75.9	.....	.....	100.0
	29	10	38.6	12.5	56.3	10.0	30.0	50.0
818	30	1	[2]	31.3	31.3	.....	.....	.....
	31	63	32.9	30.7	40.0	.....	.....	1.6
	32	2	[2]	31.3	41.7	.....	.....	50.0
	33	4	45.8	37.5	52.1	.....	.....	75.0
	35	5	41.7	33.3	45.8	.....	.....	80.0
	36	1	[2]	29.2	29.2	.....	100.0	.....
	37	2	[2]	33.0	41.7	.....	.....	50.0
	38	4	37.5	25.0	47.9	.....	25.0	50.0
	39	1	[2]	25.0	25.0	.....	100.0	.....
	40	5	31.3	30.3	36.4	.....	.....	.....
	41	8	41.7	36.5	52.1	.....	.....	62.5
	42	1	[2]	41.7	41.7	.....	.....	100.0
	43	1	[2]	33.3	33.3	.....	.....	.....
	44	3	20.8	20.8	25.0	66.7	100.0	.....
	45	1	[2]	33.3	33.3	.....	.....	.....
	47	1	[2]	31.3	31.3	.....	.....	.....
819	48	2	[2]	37.5	37.5	.....	.....	.....
	49	5	47.8	43.5	54.3	.....	.....	100.0
	50	5	31.3	30.9	31.3	.....	.....	.....
	51	1	[2]	31.3	31.3	.....	.....	.....
	52	2	[2]	31.3	37.5	.....	.....	.....
	53	1	[2]	31.3	31.3	.....	.....	.....
	54	33	31.3	29.1	31.3	.....	18.2	.....
	55	2	[2]	31.3	36.1	.....	.....	.....
	56	4	43.8	41.7	52.1	.....	.....	100.0
	60	1	[2]	35.0	35.0	.....	.....	.....
	61	1	[2]	35.0	35.0	.....	.....	.....
	68	36	33.0	30.6	33.0	.....	.....	.....
	69	1	[2]	31.3	31.3	.....	.....	.....
	70	1	[2]	39.0	39.0	.....	.....	.....
	71	2	[2]	20.8	25.0	50.0	100.0	.....
	72	1	[2]	30.0	30.0	.....	.....	.....
820	73	1	[2]	45.8	45.8	.....	.....	100.0
	74	1	[2]	35.7	35.7	.....	.....	.....
	75	1	[2]	62.5	62.5	.....	.....	100.0
	76	2	[2]	31.3	31.3	.....	.....	.....
	77	7	31.3	31.3	39.6	.....	.....	.....

[1] New York State Department of Labor, Division of Women in Industry and Minimum Wage, *Wages of Women in Six Industries, New York State, 1935*, unpublished report, 1935.

[2] Not computed owing to small number involved.

Table VIII—Hourly Earnings of Women in Six Industries in New York City, 1935[1]

Hourly Earnings	Number of Women											
	Candy		Cotton Garment		Handbag		Knit Goods		Paper Box		Retail Stores	
	All occupations	Packer	All occupations	Operator	All occupations	Operator	All occupations	Finisher	All occupations	Stripper	All occupations	Saleswoman
Total reporting	932	507	935	531	239	39	901	239	486	115	336	265
Median earnings (cents)	29.8	29.8	38.5	40.7	40.3	72.5	50.3	44.4	40.3	49.9	32.7	32.8
Under 25 cents	7	1	5	2	1	.....	3	2	3	.....	21	4
25 and under 26 cents	1	.....	8	3	.....	.....	6	1	3	.....	7	5
26 and under 27 cents	3	.....	3	1	.....	.....	1	.....	1	.....	.....	.....
27 and under 28 cents	4	2	13	8	.....	.....	.....	.....	.....	.....	.....	.....
28 and under 29 cents	5	2	7	4	.....	.....	.....	.....	10	.....	.....	.....
29 and under 30 cents	526	319	4	3	1	.....	.....	.....	.....	.....	17	8
30 and under 31 cents	16	13	9	5	1	.....	5	1	2	.....	13	9
31 and under 32 cents	41	32	7	2	.....	.....	2	.....	9	.....	69	61
32 and under 33 cents	13	8	219	113	3	.....	1	1	64	1	58	54
33 and under 34 cents	12	4	8	3	.....	.....	1	1	20	9	53	43
34 and under 35 cents	42	30	51	5	2	.....	2	1	.....	.....	1	.....
35 and under 36 cents	98	38	37	27	39	.....	97	33	71	3	5	5
36 and under 37 cents	8	8	31	23	2	.....	10	1	2	2	4	4
37 and under 38 cents	10	5	55	26	43	2	56	18	29	3	10	9
38 and under 39 cents	4	3	21	14	8	.....	12	2	3	2	1	.....
39 and under 40 cents	7	6	23	11	13	.....	11	3	4	2	3	3
40 and under 45 cents	69	31	156	101	43	3	135	65	113	18	27	21
45 and under 50 cents	14	3	62	37	12	3	85	18	50	18	15	13
50 and under 55 cents	9	.....	58	41	12	2	120	47	74	42	15	11
55 and under 60 cents	9	.....	46	33	10	3	87	13	17	7	7	7
60 cents and over	34	2	112	69	49	26	257	32	11	8	10	8

[1] New York State Department of Labor, Division of Women in Industry and Minimum Wage, *Wages of Women in Six Industries, New York State, 1935*, unpublished report, 1935.

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826 Table IX—Average Hourly Earnings of Men and Women in Selected Industries in New York State, 1929–1932[1]

Industry, Occupation, and Date	Number of Employees		Average Hourly Earnings		Ratio of women's earnings to men's
	Male	Female	Male (cents)	Female (cents)	
827					
Furniture — 1929					
Sanders — hand	374	39	48.8	38.7	79.3
Upholsterers	410	16	83.0	41.8	50.4
Cotton goods — 1930					
Speeder tenders	47	182	45.6	39.9	87.5
Spinners, frame	20	250	52.0	41.6	80.0
Weavers	167	150	55.4	52.7	95.1
Silk and rayon — 1931					
Spinners	202	415	40.6	33.3	82.0
Warpers	125	58	70.1	55.1	78.6
Twisters, in hand	36	13	61.8	46.5	75.2
Weavers, broad silk	796	528	49.6	42.8	86.3
Boot and shoe — 1932					
Skivers, upper	10	98	77.0	39.0	50.6
828 Cementers and doublers, hand and machine	17		7.6	26.9	56.5
Folders, hand and machine	70	4	69.9	33.2	47.4
Perforators	42	68	50.8	36.9	72.6
Top stitchers	33	241	65.7	37.3	56.8
Binders	13	98	71.0	48.1	67.7
Eyeletters	16	13	57.3	38.5	67.2
Vampers	35	201	64.9	37.6	57.9
Fancy stitchers	74	559	71.5	32.6	45.6
Assemblers for pulling over machine	75	12	55.4	32.4	58.4
Sole cementers	30	18	40.4	28.0	69.3
Bottom stainers	35	67	39.8	27.9	70.1
Shoe cleaners	43	19	32.9	25.1	76.3
Treers, hand and machine	161	47	41.9	30.1	71.8
Repairers (not cobblers)	19	71	67.3	35.7	53.0
829 Channel openers and closers	48	19	33.7	41.6	123.4
Packers	11	34	53.6	34.0	63.4
Hosiery and underwear — 1932					
Knitters, web or tube	118	12	43.8	30.9	70.5
Pressers	40	44	40.3	19.2	47.6
Woolen and worsted goods — 1932					
Weavers	93	153	45.7	43.1	94.3

[1] Compiled from United States Department of Labor, Bureau of Labor Statistics:

Wages and Hours of Labor in the Furniture Industry, 1910 to 1929, Bulletin No. 526, 1931, pp. 31–35;

Wages and Hours of Labor in Cotton-Goods Manufacturing, 1910 to 1930, Bulletin No. 539, 1931, pp. 29–36;

830 *Wages and Hours of Labor in the Manufacture of Silk and Rayon Goods: 1931*, Bulletin No. 568, 1932, pp. 28–36;

Wages and Hours of Labor in the Boot and Shoe Industry, 1910 to 1932, Bulletin No. 579, 1933, pp. 49–78;

Wages and Hours of Labor in the Hosiery and Underwear Industries, 1932, Bulletin No. 591, 1933, pp. 39–70;

Wages and Hours of Labor in Woolen and Worsted Goods Manufacturing, 1932, Bulletin No. 584, 1933, pp. 33–42.

Week's Earnings	All industries	Number of women					
		Candy	Cotton garment	Handbag	Knit goods	Paper box	Retail stores
New York State							
Total	7,368	1,334	1,849	629	1,312	1,312	932
Median earnings	$13.65	$13.15	$13.36	$14.07	$14.65	$13.98	$13.69
Per cent with earnings under $5	7.7	6.1	5.8	10.3	10.3	1.8	16.5
Per cent with earnings under 10	24.6	30.1	26.1	28.5	22.4	15.5	27.4
Per cent with earnings under 12	34.3	39.4	37.2	35.8	30.8	24.0	40.1
Per cent with earnings under 15	68.1	80.3	67.6	73.5	54.5	65.9	68.6
Under $1	20	2	1	4	4	.....	9
$1 and under $2	77	15	7	6	23	.....	26
2 and under 3	202	20	35	18	32	8	89
3 and under 4	129	26	28	11	42	3	19
4 and under 5	139	18	37	26	34	13	11
5 and under 6	243	113	57	21	22	15	15
6 and under 7	178	33	53	22	30	20	20
7 and under 8	252	53	73	21	29	58	18
8 and under 9	308	83	90	29	40	39	27
9 and under 10	268	38	102	21	38	48	21
10 and under 11	351	56	95	29	61	47	63
11 and under 12	363	68	109	17	49	64	56
12 and under 13	501	91	143	26	78	114	49
13 and under 14	1,009	336	266	51	63	231	62
14 and under 15	980	119	153	179	170	205	154
15 and under 16	617	56	148	56	111	140	106
16 and under 17	426	74	121	20	82	105	24
17 and under 18	212	18	61	8	47	68	10
18 and under 19	224	27	48	11	49	48	41
19 and under 20	135	20	34	6	39	25	11
20 and under 21	168	14	38	7	41	30	38
21 and under 23	164	9	38	8	66	17	26
23 and under 25	107	11	31	12	35	8	10
25 and under 30	185	29	42	13	80	3	18
30 and under 35	51	2	16	5	24	2	2
35 and over	59	3	23	2	23	1	7

[1] New York State Department of Labor, Division of Women in Industry and Minimum Wage, *Wages of Women in Six Industries, New York State, 1935*, unpublished report, 1935.

Table X—Week's Earnings of Women in Six Industries, 1935[1]—*Continued*

Week's Earnings	All industries	Number of Women					
		Candy	Cotton garment	Handbag	Knit goods	Paper box	Retail stores
New York City							
Total	4,486	986	1,324	253	992	498	433
Median earnings	$13.68	$13.18	$13.31	$14.18	$15.29	$13.57	$15.03
Per cent with earnings under $5	7.2	4.7	7.3	8.7	11.4	3.0	6.7
Per cent with earnings under 10	25.3	27.8	28.4	30.8	23.5	24.3	12.5
Per cent with earnings under 12	34.3	36.9	38.5	37.2	30.0	36.3	21.0
Per cent with earnings under 15	64.1	84.7	65.0	65.2	47.9	65.5	49.4
Under $1	5	1	1	.....	3	.....	.....
$1 and under $2	35	9	7	1	17	.....	1
2 and under 3	90	8	27	6	27	2	20
3 and under 4	90	19	26	1	37	2	5
4 and under 5	101	9	35	14	29	11	3
5 and under 6	176	92	48	8	15	8	5
6 and under 7	107	13	39	13	24	15	3
7 and under 8	168	44	60	12	21	28	3
8 and under 9	208	68	63	16	33	21	7
9 and under 10	156	11	70	7	27	34	7
10 and under 11	195	39	60	8	38	34	16
11 and under 12	207	51	74	8	27	26	21
12 and under 13	316	74	106	9	56	40	31
13 and under 14	574	314	149	15	38	49	9
14 and under 15	447	83	95	47	83	56	83
15 and under 16	337	27	104	28	72	28	78
16 and under 17	275	59	90	9	66	35	16
17 and under 18	128	5	37	7	40	32	7
18 and under 19	149	11	37	6	44	23	28
19 and under 20	82	.....	22	3	36	16	5
20 and under 21	129	7	33	4	36	17	32
21 and under 23	144	5	35	5	63	14	22
23 and under 25	93	7	27	11	34	5	9
25 and under 30	175	27	41	10	79	1	17
30 and under 35	46	1	15	4	24	1	1
35 and over	53	2	23	1	23	.....	4

Week's Earnings	All industries	Number of women					
		Candy	Cotton garment	Handbag	Knit goods	Paper box	Retail stores
Outside New York City							
Total	2,882	348	525	376	320	814	499
Median earnings	$13.61	$12.76	$13.41	$14.03	$14.08	$14.11	$11.04
Per cent with earnings under $5	8.5	10.1	2.3	11.4	6.9	1.1	25.1
Per cent with earnings under 10	23.6	36.5	20.4	26.9	19.1	10.2	40.3
Per cent with earnings under 12	34.4	46.3	33.7	34.8	33.1	16.5	56.7
Per cent with earnings under 15	74.4	67.8	74.1	84.0	75.0	66.2	85.2
Under $1	15	1	.....	4	1	.....	9
$1 and under $2	42	6	.....	5	6	.....	25
2 and under 3	112	12	8	12	5	6	69
3 and under 4	39	7	2	10	5	1	14
4 and under 5	38	9	2	12	5	2	8
5 and under 6	67	21	9	13	7	7	10
6 and under 7	71	20	14	9	6	5	17
7 and under 8	84	9	13	9	8	30	15
8 and under 9	100	15	27	13	7	18	20
9 and under 10	112	27	32	14	11	14	14
10 and under 11	156	17	35	21	23	13	47
11 and under 12	156	17	35	9	22	38	35
12 and under 13	185	17	37	17	22	74	18
13 and under 14	435	22	117	36	25	182	53
14 and under 15	533	36	58	132	87	149	71
15 and under 16	280	29	44	28	39	112	28
16 and under 17	151	15	31	11	16	70	8
17 and under 18	84	13	24	1	7	36	3
18 and under 19	75	16	11	5	5	25	13
19 and under 20	53	20	12	3	3	9	6
20 and under 21	39	7	5	3	5	13	6
21 and under 23	20	4	3	3	3	3	4
23 and under 25	14	4	4	1	1	3	1
25 and under 30	10	2	1	3	1	2	1
30 and under 35	5	1	1	1	.....	1	1
35 and over	6	1	.....	1	.....	1	3

[1] New York State Department of Labor, Division of Women in Industry and Minimum Wage, *Wages of Women in Six Industries New York State, 1935*, unpublished report, 1935.

Table XI—Week's Earnings of Women Employed in Various Industries in New York State, Compiled from Special Studies, 1913–1934

Industry	Date of study	Total number of women reporting	Per Cent of Women Whose Week's Earnings Were —				Source
			Under $5	Under $10	Under $12	Under $15	
Hotel	1934	2,880	13.6	50.5	68.8	88.3	N. Y. Department of Labor, Report to Hotel and Restaurant Wage Board, pp. 113, 116, 119.
Restaurant	1934	8,875	23.7	61.7	74.3	87.3	*Ibid.*, p. 90.
Laundry	1933	5,322	5.0	44.3	69.0	90.9	N. Y. Department of Labor, Report to Laundry Wage Board, Appendix, Table I.
	[1] 1931	1,605	1.4	9.6	23.9	59.8	N. Y. Department of Labor, Division of Women in Industry, unpublished report, p. 12.
	[1] 1929	1,588	2.5	8.4	15.7	46.4	N. Y. Department of Labor, Bureau of Women in Industry, unpublished report, p. 12 A.
	1926	3,216	4.0	12.0	20.5	54.6	N. Y. Department of Labor, Bulletin No. 153, p. 54.
Glove	[2] 1933	622	5.6	26.5	[3]	69.0	U. S. Women's Bureau, Bulletin No. 119, p. 5.
Shirt	1933	5,310	[3]	64.0	81.0	94.0	U. S. Department of Labor, mimeo. report, p. 18.
	1923	14,008	3.6	18.7	31.0	50.9	N. Y. Department of Labor, Bulletin No. 121, p. 115.
	1918	14,164	7.5	38.3	57.7	78.2	*Ibid.*
	1913	8,773	24.1	83.1	92.2	98.2	*Ibid.*
All industries — Newburgh	1929	1,149	[3]	[3]	44.9	[3]	N. Y. Department of Labor, Bureau of Women in Industry, mimeo. report, p. 35.

[1] New York City only.
[2] Fulton County only.
[3] Not available.

Table XI—Week's Earnings of Women Employed in Various Industries in New York State, Compiled from Special Studies, 1913–1934—*Continued*

Industry	Date of study	Total number of women reporting	Per Cent of Women Whose Week's Earnings Were —				Source
			Under $5	Under $10	Under $12	Under $15	
Tobacco	1929	1,988	2.0	9.2	[3]	32.9	U. S. Women's Bureau, Bulletin No. 100, p. 166.
	1923	7,934	2.5	11.6	19.8	36.5	N. Y. Department of Labor, Bulletin No. 121, p. 116.
	1918	8,709	3.3	17.4	31.8	53.7	*Ibid.*
Paper box	[1] 1927	1,176	2.4	11.3	21.3	41.8	N. Y. Department of Labor, Bulletin No. 154, pp. 56–7.
	1923	4,324	3.3	15.6	29.5	56.8	N. Y. Department of Labor, Bulletin No. 121, p. 114.
	1918	4,513	5.5	35.8	59.2	82.9	*Ibid.*
	1913	6,909	18.9	85.9	95.8	99.5	*Ibid.*
All industries — Binghamton	1926	4,237	3.7	12.8	20.7	41.1	N. Y. Department of Labor, Bureau of Women in Industry, Special Bulletin, p. 82.
Knitted outerwear	[1] 1923	1,260	.....	0.3	2.9	10.5	N. Y. Department of Labor, Bulletin No. 117, p. 12.
Mercantile	1923	28,823	0.2	8.1	18.1	40.2	N. Y. Department of Labor, Bulletin No. 121, p. 111.
	1918	28,279	0.9	29.5	50.3	75.1	*Ibid.*
	1913	30,019	14.2	73.8	84.2	92.7	*Ibid.*
Candy	1923	3,971	4.0	18.4	35.4	63.0	*Ibid.*, p. 113.
	1918	5,495	13.3	51.4	72.3	89.0	*Ibid.*
	1913	5,129	28.3	92.5	97.9	99.4	*Ibid.*
5 and 10 cent stores	1921	1,551	5.4	19.5		70.1	N. Y. Department of Labor, Bulletin No. 109, p. 53.
Millinery	[1] 1914	1,869	14.4	52.6	67.2	84.8	N. Y. Factory Investigating Commission, 1915, Vol. II, pp. 396–7.
Button	[1] 1913	286	18.2	88.5	93.7	97.9	*Ibid.*, pp. 350–1.

[1] New York City only.
[2] Fulton County only.
[3] Not available.

Table XII—Average Weekly Earnings of Men and Women in Representative New York State Factories, 1923–1935[1]

Year	All Factories		Candy		Knit Goods — Except Silk		Paper Boxes and Tubes		Shoes		Women's Clothing	
	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
1923[2]	$31 43	$16 31	$25 17	$14 10	$26 76	$16 65	$26 65	$16 02	$27 61	$17 81	$40 34	$22 52
1924	31 01	16 65	25 63	14 60	26 50	15 34	27 53	16 54	26 68	16 55	43 18	23 63
1925	31 48	17 12	25 91	14 63	26 78	16 34	28 14	17 11	28 42	16 59	45 10	24 97
1926	32 72	18 08	27 17	15 61	27 29	15 93	30 91	17 35	29 8[illegible]	17 87	46 59	26 02
1927	33 20	18 62	28 20	15 83	28 13	16 41	31 21	17 0[illegible]	30 69	[illegible] 30	47 64	27 26
1928	33 47	18 49	28 21	16 45	26 81	15 62	31 51	17 [illegible]1	30 13	17 6[illegible]	49 18	27 35
1929	33 97	18 75	29 73	15 58	27 21	15 89	32 90	17 [illegible]2	30 63	18 29	49 01	27 92
1930	32 37	17 97	29 49	15 03	25 89	13 89	31 48	16 73	26 62	15 89	47 66	28 41
1931	29 56	16 60	26 38	13 86	24 17	12 63	29 77	14 83	23 09	13 13	43 28	25 03
1932	25 36	13 75	25 22	12 61	21 84	10 99	24 46	12 84	19 92	11 01	37 01	19 85
1933	24 27	13 35	22 42	11 51	20 81	11 63	22 46	12 51	19 43	11 36	33 51	18 39
1934	25 62	14 90	23 13	13 42	21 18	13 12	22 88	13 92	20 61	13 02	35 32	20 38
1935[3]	26 79	15 40	23 50	13 24	21 23	13 10	23 89	14 14	22 78	14 43	35 85	19 91

[1] Compiled from figures published monthly by the New York State Department of Labor, Division of Statistics and Information, in *The Industrial Bulletin*, 1923–1935.

[2] Includes the period from June to December; data not available prior to June, 1923.

[3] Includes the period from January to August.

Table XIII—Average Minimum Weekly Cost of Maintaining a Fair American Standard of Living for Single Workers in New York City, 1926, Reported by the National Industrial Conference Board, Inc.[1] 861

Industrial worker	*Weekly cost*
Single man, living apart from family group	$18.69
Single woman, living apart from family group	16.53[2]
Single woman, living as part of family group	12.80
Office worker	
Single man, living apart from family group	21.87
Single woman, living apart from family group	19.34

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[1] National Industrial Conference Board, Inc., *The Cost of Living in New York City, 1926*, New York, 1926, pp. 126–127.

[2] The National Industrial Conference Board presented no data separately for a single woman industrial worker living apart from the family group. Since cost of living figures presented by other organizations are for a single woman living alone, this figure was calculated in order to make the National Industrial Conference Board budget comparable with the others. 864

This figure was derived from the budgets presented by the National Industrial Conference Board for other groups of single workers. It was obtained by calculating the percentage difference between the cost of living for a single man (living apart from the family group) employed as office worker and for a single man employed as an industrial worker. This percentage difference was then applied to the cost of living for a single woman office worker, living apart from the family group, in order to obtain the cost of living for a woman industrial worker, living apart from the family group. In this calculation, it is assumed that the difference in the cost of living for women office workers and women industrial workers would be the same as the difference in the cost of living for men in these two groups. 865

Table XIV—Average Minimum Weekly Cost of Maintaining a Fair American Standard of Living for a Single Woman in New York City, 1926 and 1935

	1926	*1935*
Index of cost of living[1]	181.9[2]	147.6[2]
Percentage decrease, 1926 to 1935	18.9	
Weekly cost[3]	$16.53	$13.41

[1] United States Department of Labor, Bureau of Labor Statistics, *Revised Indexes of the Cost of Goods Purchased by Wage Earners and Lower-Salaried Workers for 19 Cities* (in press). See also F. M. Williams, M. H. Hogg, and E. Clague, "Revision of Index of Cost of Goods Purchased by Wage Earners and Lower-Salaried Workers," *Monthly Labor Review*, September, 1935, pp. 819–837.

[2] December, 1914 = 100. Figures are for June 1926, and July 1935, respectively.

[3] Based on figures presented by the National Industrial Conference Board, Inc. See Appendix, Table XIII.

Table XV—Weekly Budget at a "Minimum-Self-Supporting Level" for a Single Woman, Reported by the Welfare Council of New York City for July, 1935[1]

Item	*Amount*
Total	$16.00
Food and shelter	11.25
Clothing	1.75
Carfare	.75
Health care	.50
Insurance and savings	.75
Other expenses	1.00

[1] Reported to the New York State Department of Labor, by letter, dated August 27, 1935.

Weekly Earnings	Total	Number of Women Employed in —				
		Manufacturing industries	Trade, wholesale and retail	Service industries	Clerical occupations	All other industries or occupations
Total	4,254	1,853	406	1,343	541	111
Total reporting	4,014	1,792	389	1,222	512	99
Median earnings	$7.63	$8.45	$8.69	$5.26	$12.07	$6.93
Per cent with earnings under $5	25.2	16.9	20.8	46.1	7.4	28.3
Per cent with earnings under $10	63.7	60.4	54.2	82.1	37.9	65.7
Per cent with earnings under $12	76.1	75.5	67.4	90.6	49.2	79.8
Per cent with earnings under $15	90.4	93.5	84.3	97.5	68.4	83.8
Under $2	95	24	6	58	3	4
$2 and under $3	266	79	24	146	7	10
3 and under 4	352	101	36	197	13	5
4 and under 5	300	99	15	162	15	9
5 and under 6	488	204	34	183	52	15
6 and under 7	351	182	25	98	39	7
7 and under 8	247	118	33	69	23	4
8 and under 9	323	199	31	53	32	8
9 and under 10	134	77	7	37	10	3
10 and under 11	407	220	43	79	52	13
11 and under 12	90	50	8	25	6	1
12 and under 13	295	145	23	64	60	8
13 and under 14	130	91	7	17	14	1
14 and under 15	149	86	36	3	24	.....
15 and under 16	231	75	42	20	89	5
16 and under 18	55	8	10	5	31	1
18 and under 20	48	14	5	2	23	4
20 and over	53	20	4	4	19	6
Not reporting	240	61	17	121	29	12

[1] New York State Department of Labor, Division of Women in Industry and Minimum Wage, *Wages and Family Responsibilities of Employed Women Accepted for Relief by the Emergency Relief Bureau, New York City, May to September, 1935*, unpublished report, 1935.

876 Table XVII

MEMBERS OF THE LAUNDRY MINIMUM WAGE BOARD

New York State, 1933

Representing the Public:

Mr. Raymond V. Ingersoll of Brooklyn, lawyer, and since 1924 arbitrator in the New York cloak
877 and suit industries, *Chairman of the Board.*

Mrs. Elinore M. Herrick of New York, Executive Secretary of the Consumers' League of New York and formerly production supervisor and supervisor of training for the DuPont Rayon Company.

Mrs. Caroline O'Day of Rye, active in the League of Women Voters, Women's City Club, Con-
878 sumers' League, and Women's Trade Union League; Associate Chairman, Democratic State Committee; member of National Democratic Committee.

Representing the Employees:

Miss Pauline Newman of the New York Women's
879 Trade Union League. Appointed July 28th to serve in place of *Miss Sadie Reisch,* organizer for the Women's Trade Union League, who resigned because of illness.

Mrs. Mae Epple of Albany, an employee of the Killip Laundry, and President of the Industrial League of the Albany Y.W.C.A.

880 *Mr. Joseph Mackey* of New York, Secretary of the Laundry Workers' International Union, Local No. 280. Appointed August 4th to serve after the death of *Mr. Harry L. Morrison* of Troy, General Secretary-Treasurer of the Laundry Workers' International Union.

Representing the Employers: 881

Mr. Harold K. Wilder of New York, Secretary of the Laundry Board of Trade, representing laundryowners of greater New York.

Mr. Harry D. Wemple of Buffalo, Secretary of the New York State Laundryowners' Association.

Mr. C. O. John of the Highland Laundry Service, 882
Peekskill. Appointed July 26th to serve after the resignation, because of illness, of *Mr. Fred P. Stafford* of Briarcliff Manor, a Director of the New York State Laundryowners' Association and member of the Westchester County Laundry Board of Trade. Before the appointment of Mr. John, the vacancy left by Mr. Staf- 883
ford's resignation was filled temporarily by *Mr. Leland P. Hamilton,* President of the New York State Laundryowners' Association and of the Otsego Laundry Co., Inc., Oneonta.

Secretary: Frieda S. Miller, Director, Division of Women in Industry and Minimum Wage, New York State Department of Labor. 884

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Table XVIII—Compliance of Laundrieswith Wage Orders, by Locality, 1933–1935 [1]

Laundries	New York State			New York City Area			Outside New York City Area		
	1933	1934	1935	1933	1934	1935	1933	1934	1935
Number of laundries reporting	2,205	2,119	2,047	1,863	1,777	1,708	342	342	339
Number of laundries paying women and minors:									
Less than minimum rates [2]	592	156	122	510	109	101	82	47	21
Minimum rates [3]	594	774	733	417	578	512	177	196	221
More than minimum rates [4]	1,019	1,189	1,192	936	1,090	1,095	83	99	97
Per cent of laundries paying women and minors:	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Less than minimum rates [2]	26.9	7.4	6.0	27.4	6.1	5.9	24.0	13.7	6.2
Minimum rates [3]	26.9	36.5	35.8	22.4	32.5	30.0	51.7	57.3	65.2
More than minimum rates [4]	46.2	56.1	58.2	50.2	61.3	64.1	24.3	28.9	28.6

[1] Compiled from New York State Department of Labor, Division of Women in Industry and Minimum Wage, *Report to the Industrial Commissioner, The Effect of Directory Order No. 1 on the Wages of Women and Minors in Laundries in New York State and the Need for a Mandatory Wage Order Governing Laundry Occupations*, mimeographed report, 1934, Appendix Table IV; and *Wages and Hours of Women and Minors in New York State Laundries, November 1934, and November 1935*, unpublished reports, 1934, 1935.

[2] Includes laundries in which any women or minors were being paid less than the minimum rates.

[3] Includes laundries in which all women and minors were being paid at least the minimum rates, with the exception of those in which more than half were being paid more than the minimum rates.

[4] Includes laundries in which more than half the women and minors were being paid more than the minimum rates.

Table XIX—Laundry Employees Classified According to the Relation of Their Earnings to the Minimum Rates Set by Wage Orders, 1933–1935 [1]

Laundry Employees	New York State			New York City Area			Outside New York City Area		
	1933	1934	1935	1933	1934	1935	1933	1934	1935
Number of women and minors reported	22,095	21,386	21,892	17,375	16,745	17,010	4,720	4,641	4,882
Number receiving:									
Less than minimum rates	8,338	466	295	8,002	364	247	336	102	48
Minimum rates	6,860	12,583	12,381	4,250	9,964	9,633	2,610	2,619	2,748
More than minimum rates	6,897	8,337	9,216	5,123	6,417	7,130	1,774	1,920	2,086
Per cent receiving:	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Less than minimum rates	37.7	2.2	1.3	46.1	2.2	1.4	7.1	2.2	1.0
Minimum rates	31.1	58.8	56.6	24.4	59.5	56.6	55.3	56.4	56.3
More than minimum rates	31.2	39.0	42.1	29.5	38.3	41.9	37.6	41.4	42.7

[1] Compiled from New York State Department of Labor, Division of Women in Industry and Minimum Wage, *Report to the Industrial Commissioner, The Effect of Directory Order No. 1 on the Wages of Women and Minors in Laundries in New York State and the Need for a Mandatory Wage Order Governing Laundry Occupations*, mimeographed report, 1934, Appendix Table VI; and *Wages and Hours of Women and Minors in New York State Laundries, November 1934, and November 1935*, unpublished reports, 1934, 1935.

Table XX—Compliance of Laundries with Wage Orders, by Size of Laundry, November 1935 [1]

Size of Laundry	Laundries Paying Women and Minors—			
	Total	Less than minimum rates [2]	Minimum rates [3]	More than minimum rates [4]
	Number			
Total	2,047	122	733	1,192
Less than 10 employees	1,480	58	377	1,045
10 to 24 employees	203	16	116	71
25 to 49 "	169	20	110	39
50 to 99 "	120	16	84	20
100 to 199 "	53	7	39	7
200 employees and over	22	5	7	10
	Per Cent			
Total	100.0	6.0	35.8	58.2
Less than 10 employees	100.0	3.9	25.4	70.6
10 to 24 employees	100.0	7.9	57.1	35.0
25 to 49 "	100.0	11.8	65.1	23.1
50 to 99 "	100.0	13.3	70.0	16.7
100 to 199 "	100.0	13.2	73.6	13.2
200 employees and over	100.0	22.7	31.8	45.4

[1] New York State Department of Labor, Division of Women in Industry and Minimum Wage, *Wages and Hours of Women and Minors in New York State Laundries, November 1935*, unpublished report, 1935.

[2] Includes laundries in which any women or minors were being paid less than the minimum rates.

[3] Includes laundries in which all women and minors were being paid at least the minimum rates, with the exception of those in which more than half were being paid more than the minimum rates.

[4] Includes laundries in which more than half the women and minors were being paid more than the minimum rates.

Table XXI—Number of Men and Women Employed in Laundries Covered by Wage Orders, 1933–1935 [1]

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Date	Number of laundries	Number of Employees			Per cent women form of total
		Total	Males	Females	
New York State					
November, 1933	2,225	36,786	14,657	22,129	60.2
November, 1934	2,256	35,646	14,200	21,446	60.2
November, 1935	2,203	36,483	14,595	21,888	60.0
New York City Area					
November, 1933	1,881	29,519	12,062	17,457	59.1
November, 1934	1,893	28,372	11,667	16,705	58.9
November, 1935	1,840	28,818	11,942	16,876	58.6
Outside New York City Area					
November, 1933	344	7,267	2,595	4,672	64.3
November, 1934	363	7,274	2,533	4,741	65.2
November, 1935	363	7,665	2,653	5,012	65.4

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[1] Compiled from records of the New York State Department of Labor, Division of Women in Industry and Minimum Wage.

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BIBLIOGRAPHY

Classified List of Publications Referred to in Factual Brief

I. STATUS OF WAGE EARNING WOMEN

New York State Department of Labor
Division of Women in Industry[1]

The Employment of Women in 5 and 10 Cent Stores, Special Bulletin No. 109, 1921, pp. 24–26.

Wages and Working Conditions of Women and Minors in Hotels and Restaurants in New York State, unpublished data, 1934.

Women in Binghamton Industries, Special Bulletin, 1928, pp. 10–16, 32–33.

Women in Newburgh Industries, mimeographed report, 1929, pp. 9–14.

New York State Factory Investigating Commission

Fourth Report, 1915, Volume II, pp. 177–421.

United States Department of Commerce
Bureau of the Census

Twelfth Census of the United States, 1900, Volume II, Population, pp. 72–73.

Twelfth Census of the United States, 1900, Special Reports, Occupations, p. 351.

Fifteenth Census of the United States, 1930, Population, Volume IV, Occupations, by States, pp. 1083, 1112, 1161, 1164; Volume VI, Families, pp. 920–926.

Women in Gainful Occupations, 1870 to 1920, Census Monograph IX, 1929, pp. 122–156, 290, 348.

United States Department of Labor
Children's Bureau

Children of Working Mothers in Philadelphia, Publication No. 204, 1931, pp. 5, 13–29.

[1] The title of this division has varied. It was at one time, "Bureau of Women in Industry." Since 1933 it has been "Division of Women in Industry and Minimum Wage."

Women's Bureau

Changing Jobs, Bulletin No. 54, 1926, pp. 4–5, 7. 911

The Effects on Women of Changing Conditions in the Cigar and Cigarette Industries, Bulletin No. 100, 1932, pp. 40–52, 63–68, 76–79, 95–99, 135, 144, 151–157, 168–169.

Employment Conditions in Beauty Shops, Bulletin No. 133, 1935, pp. 21–23, 43. 912

The Employment of Women in Slaughtering and Meat Packing, Bulletin No. 88, 1932, pp. 9, 14–15, 53–58, 113, 122–132, 142, 200–202.

Hours and Earnings in the Leather-Glove Industry, Bulletin No. 119, 1934, pp. 7, 13.

The Industrial Experience of Women Workers at the Summer Schools, 1928 to 1930, Bulletin No. 89, 1931, pp. 13, 17–18, 36–37, 41. 913

The Share of Wage-Earning Women in Family Support, Bulletin No. 30, 1923, 170 pp.

Wage-Earning Women and the Industrial Conditions of 1930—A Survey of South Bend, Bulletin No. 92, 1932, pp. 6–9. 914

Wages of Women in 13 States, Bulletin No. 85, 1931, pp. 1–2, 157–158.

What the Wage-Earning Woman Contributes to Family Support, Bulletin No. 75, 1929, 20 pp. 915

Women in Industry, Bulletin No. 91, 1931, pp. 17–24, 59–60.

Perkins, Frances

Should Women Take Men's Jobs?, *The Woman's Journal,* April, 1930, pp. 7–9, 39.

916 **II. VARIATIONS IN WAGES PAID TO WOMEN**

New York State Department of Labor
Division of Women in Industry[2]

The Industrial Replacement of Men by Women in the State of New York, Special Bulletin No. 93, 1919, pp. 23–26, 66–67.

Wages of Women in Six Industries, New
917 York State, 1935, unpublished report, 1935.

Women Who Work, Special Bulletin No. 110, 1922, p. 27.

United States Department of Labor
Bureau of Labor Statistics

Wages and Hours of Labor in the Boot and Shoe Industry, 1910 to 1932, Bulletin No. 579,
918 1933, pp. 21–23, 49–87, 103–111.

Wages and Hours of Labor in Cotton-Goods Manufacturing, 1910 to 1930, Bulletin No. 539, 1931, pp. 8–9, 29–41.

Wages and Hours of Labor in the Furniture Industry, 1910 to 1929, Bulletin No. 526, 1931, pp. 31–35.

919 Wages and Hours of Labor in the Hosiery and Underwear Industries, 1932, Bulletin No. 591, 1933, pp. 8–12, 39–77, 92–98.

Wages and Hours of Labor in the Manufacture of Silk and Rayon Goods: 1931, Bulletin No. 568, 1932, pp. 6–7, 28–42.

Wages and Hours of Labor in Woolen and
920 Worsted Goods Manufacturing, 1932, Bulletin No. 584, 1933, pp. 11–13, 33–48, 59–64.

Women's Bureau

The Effects of Labor Legislation on the Employment Opportunities of Women, Bulletin No. 65, 1928, pp. 227–229.

Variations in Wage Rates under Corresponding Conditions, Bulletin No. 122, 1935, pp. 1–23, 48–49.

III. LOW WAGES OF WOMEN; COMPARISON WITH COST OF LIVING AND PURCHASING POWER OF DOLLAR 921

Federal Emergency Relief Administration

Monthly Report, June 1 through June 30, 1935, Washington, 1935, pp. 9, 10, 15.

National Industrial Conference Board, Inc.

The Cost of Living in New York City, 1926, New York, 1926, pp. 126, 127. 922

The Economic Status of the Wage Earner in New York and Other States, New York, 1928, pp. 85, 91.

New York State Department of Labor

Report of the Industrial Commissioner to the Hotel and Restaurant Wage Board Relating to Wages and Other Conditions of Employment of Women and Minors in the Hotel and Restaurant Industry, New York State, mimeographed report, 1935, Appendix, pp. 90, 113, 116, 119. 923

Report of the Industrial Commissioner to the Laundry Minimum Wage Board Relating to Wages and Other Conditions of Employment of Women and Minors in the Laundry Industry, New York State, mimeographed report, 1933, Appendix, Table I. 924

Division of Statistics and Information[3]

Employment and Earnings of Men and Women in New York State Factories, 1923–1925, Special Bulletin No. 143, 1926, p. 21. 925

Men's and Women's Average Weekly Earnings in Representative New York State Factories, published monthly in *The Industrial Bulletin*, 1923–1935.

---

[3] The title of this division was formerly "Bureau of Statistics and Information."

926 **Division of Women in Industry**[4]
Earnings and Working Conditions of Women Employed in Power Laundries in Greater New York and Westchester County, unpublished report, 1930, p. 12A.

927 Earnings and Working Conditions of Women Employed in Power Laundries in Greater New York and Westchester County in 1931 Compared with Those of 1929, unpublished report, 1931, p. 12.

The Employment of Women in 5 and 10 Cent Stores, Special Bulletin No. 109, 1921, p. 53.

928 Hours and Earnings of Women Employed in Power Laundries in New York State, Special Bulletin No. 153, 1927, p. 54.

Hours and Earnings of Women in Five Industries, Special Bulletin No. 121, 1923, pp. 111, 113–116.

The Outer Wear Knit Goods Industry, Special Bulletin No. 117, 1923, p. 12.

929 The Paper Box Industry in New York City, Special Bulletin No. 154, 1928, pp. 56–57.

Wages and Family Responsibilities of Employed Women Accepted for Relief by the Emergency Relief Bureau, New York City, May to September, 1935, unpublished report, 1935.

930 Wages of Women in Six Industries, New York State, 1935, unpublished report, 1935.

Women in Binghamton Industries, Special Bulletin, 1928, p. 82.

Women in Newburgh Industries, mimeographed report, 1929, p. 35.

---

[4] See footnote, p. 116.

United States Department of Labor

931 Labor in the Shirt Industry in June, 1933, mimeographed report, no date, p. 18.

Women's Bureau

The Effects on Women of Changing Conditions in the Cigar and Cigarette Industries, Bulletin No. 100, 1932, p. 166.

932 Hours and Earnings in the Leather-Glove Industry, Bulletin No. 119, 1934, p. 5.

Bureau of Labor Statistics

Revised Indexes of the Cost of Goods Purchased by Wage Earners and Lower-Salaried Workers for 19 Cities (in press).

933 Revision of Index of Cost of Goods Purchased by Wage Earners and Lower-Salaried Workers, by Faith M. Williams, Margaret H. Hogg, and Ewan Clague, *Monthly Labor Review,* September, 1935, pp. 819–837.

934

935

936 **IV. WEAK BARGAINING POWER OF WOMEN**

New York State Department of Labor
Division of Statistics and Information[5]

Employment and Earnings of Men and Women in New York State Factories, 1923–1925, Special Bulletin No. 143, 1926, pp. 9, 18, 19.

937 **Division of Women in Industry**[6]

The Paper Box Industry in New York City, Special Bulletin No. 154, 1928, pp. 35–36, 68–69.

Women Who Work, Special Bulletin No. 110, 1922, pp. 27–28.

938 **United States Department of Labor**
Women's Bureau

Employment Fluctuations and Unemployment of Women: Certain Indications from Various Sources, 1928–31, Bulletin No. 113, 1933, pp. 73, 92–93.

939 Piecework Earnings in the Dress Manufacturing Industry in New York City, mimeographed report, 1934, pp. 2, 4–5, 8–9.

The Women's Trade Union League of New York

Annual Report, April 1, 1929 to April 1, 1930, p. 6.

---

[5] See footnote, p. 119.
940 [6] See footnote, p. 116.

V. FAILURE OF EMPLOYERS' EFFORTS TO STANDARDIZE WAGES THROUGH VOLUNTARY AGREEMENTS 941

Consumers' League of New York

Candy White List, published annually, 1928–1932.

Voluntary Minimum Wage Standards in the Candy Industry, by Elinore Morehouse Herrick, former Executive Secretary, unpublished report, 1935. 942

Herrick, Elinore M.

Why Organized Consumers Want Minimum Wage Legislation, *World Convention Dates,* March, 1933, pp. 10–11, 46. 943

National Consumers' League

Statement on Candy White List, issued February, 1933.

New York State Department of Labor

Report of the Industrial Commissioner to the Laundry Minimum Wage Board Relating to Wages and Other Conditions of Employment of Women and Minors in the Laundry Industry, New York State, mimeographed report, 1933, pp. 11–13. 944

945

VI. THE APPLICATION OF THE MINIMUM WAGE LAW IN THE LAUNDRY INDUSTRY

New York State Department of Labor

Minutes of Public Hearings Held by the Industrial Commissioner on Report of Laundry Minimum Wage Board and Proposed Administrative Regulations: Syracuse, Buffalo, New York City, Albany, September 11–20, 1933, unpublished.

Minutes of Public Hearings Held by the Industrial Commissioner in Regard to Making the Wage Order Mandatory, New York City, Buffalo, Syracuse, Albany, July 20–27, 1934, unpublished.

Report of the Industrial Commissioner to the Laundry Minimum Wage Board Relating to Wages and Other Conditions of Employment of Women and Minors in the Laundry Industry, New York State, mimeographed report, 1933.

Division of Women in Industry[7]

Directory Order No. 1, Governing Women and Minors in Laundry Occupations, September 22, 1933.

Earnings and Working Conditions of Women Employed in Power Laundries in Greater New York and Westchester County, unpublished report, 1930.

Earnings and Working Conditions of Women Employed in Power Laundries in Greater New York and Westchester County in 1931 Compared with Those of 1929, unpublished report, 1931.

[7] See footnote, p. 116.

Hours and Earnings of Women Employed in Power Laundries in New York State, Special Bulletin No. 153, 1927, 72 pp. 951

Laundry Workers under the Minimum Wage Law, *The Industrial Bulletin,* October, 1934, pp. 262–264.

Mandatory Order No. 1, Governing Women and Minors in Laundry Occupations, August 1, 1934. 952

Report to the Industrial Commissioner, The Effect of Directory Order No. 1 on the Wages of Women and Minors in Laundries in New York State and the Need for a Mandatory Wage Order Governing Laundry Occupations, mimeographed report, 1934. 953

Wages and Hours of Women and Minors in New York State Laundries, November, 1934, unpublished report, 1934.

New York State Laundry Minimum Wage Board

Minutes of Meetings of the Laundry Minimum Wage Board, July 24 to August 11, 1933, unpublished. 954

Report of the Laundry Minimum Wage Board to the Industrial Commissioner of New York State, August 11, 1933, mimeographed report, 1933.

955

VII. THE EXPERIENCE AND EVIDENCE IN THE FIXING OF GROUP WAGES ON THE BASIS OF VALUE OF SERVICES

Agreement between American Cloak and Suit Manufacturers' Association, Incorporated and International Ladies' Garment Workers' Union and Joint Board of Cloak, Suit, Skirt and Reefer
957 Makers' Union of the International Ladies' Garment Workers' Union, 1935–37, pp. 7–8, 11.

Agreement of Industrial Council of Cloak, Suit and Skirt Manufacturers, Inc. with International Ladies' Garment Workers' Union and Joint Board of Cloak, Suit, Skirt and Reefer Makers' Union of the International Ladies' Garment
958 Workers' Union, 1935–37, pp. 11–12.

Agreement of Merchants' Ladies' Garment Association, Incorporated with International Ladies' Garment Workers' Union and Joint Board of Cloak, Suit, Skirt and Reefer Makers' Union of the International Ladies' Garment
959 Workers' Union 1935–37, p. 11.

Balderston, C. Canby

Executive Guidance of Industrial Relations—An Analysis of the Experience of Twenty-five Companies, Philadelphia, 1935. Industrial Research Department, Wharton School of Finance and Commerce, University of Pennsylvania, Philadelphia. Research Studies XXV, pp. 3–4,
960 13–16, 53–54, 100–101, 212–215, 269–270.

Bauder, Russell S.

National Collective Bargaining in the Foundry Industry, *The American Economic Review*, September, 1934, pp. 462–476.

961 **Barnes, Ralph M.**
Industrial Engineering and Management, Problems and Policies, New York, 1931, pp. 183, 207–208.

Burton, Ernest Richmond
Employee Representation, Baltimore, 1926, pp. 191–194.

962 Collective Agreement Between the Association of Dress Manufacturers, Inc. and the Joint Board of the Cloak, Skirt, Dress and Reefer Makers' Union of the International Ladies' Garment Workers' Union, New York City, March 3, 1932, pp. 10–12.

963 **Council on Industrial Relations for the Electrical Construction Industry**
The Hamilton, Ohio, Wage Decision, Bulletin No. 6, July 20th, 1922, pp. 1–2; The Baltimore Decision, Bulletin No. 7, September 26th, 1922, pp. 1–2; Second Detroit Decision, Bulletin No. 10, June 1st, 1923, p. 3; New York City Decision, Bulletin No. 11, June 13th, 1923, p. 2.

964 **Diemer, Col. Hugo**
Wage-Payment Plans That Reduced Production Costs, New York, 1930, pp. 14, 16.

Ellerd, Harvey G.
Our Experiences with Employee Representation, *Proceedings of the Academy of Political Science,* June, 1928, p. 116.

965 **Feis, Herbert**
A Collection of Decisions Presenting Principles of Wage Settlement, New York, 1924, 452 pp.

Hedges, M. H.
A Strikeless Industry—A Review of the National Council on Industrial Relations for the Electrical Construction Industry, New York, 1932, pp. 17–24.

966 **Hochman, Julius**
The Unit System of Dress Price Settlements, *Women's Wear Daily,* August 9, 1934.

Leese, Charles
Collective Bargaining Among Photo-Engravers in Philadelphia, Philadelphia, 1929, pp. 80–81.

Levine, Louis
967 The Women's Garment Workers—A History of the International Ladies' Garment Workers' Union, New York, 1924, pp. 194, 230, 299–318, 370–371.

Lott, Merrill R.
Wage Scales and Job Evaluation—Scientific
968 Determination of Wage Rates on the Basis of Services Rendered, New York, 1926, pp. v–vi, 46–60, 105.

National Metal Trades Association, Committee on Industrial Relations
Methods of Wage Payment, 1928, 57 pp.

Pennsylvania Railroad Company
969 Employee Representation—The Pennsylvania Railroad Plan, Philadelphia, 1925, p. 59.

Selekman, Ben M. and Van Kleeck, Mary
Employes' Representation in Coal Mines, New York, Russell Sage Foundation, 1924, p. 242.

State of New York
Report of the Joint Legislative Committee on
970 Classification of Positions in the Civil Service. Transmitted to the Legislature, January 21, 1932. Legislative Document (1932) No. 55, Albany, 1932, pp. 13, 22–23, 34–40, 46, 49, 51, 53–54.

United States Department of Labor, Bureau of Labor Statistics 971

Monthly Labor Review, January, 1926, pp. 116–117; January, 1927, p. 222; May, 1927, pp. 262–264; August, 1927, pp. 222–223; June, 1928, pp. 176–177; April, 1930, p. 131; June, 1930, pp. 144–145; September, 1934, p. 713.

United States Railroad Administration 972

Director General of Railroads, General Order No. 27, with its supplements, addenda, amendments, and interpretations as to June 30, 1919, Washington, D. C., 1919, p. 27.

Report of the Railroad Wage Commission to the Director General of Railroads, April 30, 1918, Washington, D. C., 1918, General Order No. 5. 973

United States Statutes

66th Congress, 2nd Session, Chapter 91.

Wolf, H. D.

The Railroad Labor Board, Chicago, 1927, 473 pp. 974

975

VIII. LEGISLATION IN OTHER STATES AND COUNTRIES ON HOURS AND WAGES 976

Brooke, Emma
A Tabulation of the Factory Laws of European Countries, London, 1898.

Commons, John R. and Andrews, John B.
Principles of Labor Legislation, New York and London, Revised edition, 1927. 977

Gillespie, Frances E.
Labor and Politics in England 1850–1867, Durham, N. C., 1927.

International Labour Office
The International Labour Organization; the First Decade, London, 1931. 978
The Progress of Ratification, October, 1935, monthly chart.
Women's Work under Labor Law 1932, Studies and Reports, Series I, No. 2.

United States Commerce and Labor Department
Report on Condition of Woman and Child Wage-Earners in the United States, Washington, 1910, Volume IX. Submitted by the Secretary of Commerce and Labor in response to an Act approved January 29, 1907. 979

United States Department of Labor
Bureau of Labor Statistics
Laws Relating to Payment of Wages, Bulletin No. 408, 1926. 980
Legal Restrictions on Hours of Labor of Men in the United States, as of January 1, 1933, *Monthly Labor Review,* January, 1933, pp. 1-10.

Legal Restrictions on Hours of Labor of Men in the United States, as of January 1, 1934, *Monthly Labor Review,* April, 1934, pp. 831–834. 981

Minimum Wage Legislation in Various Countries, Bulletin No. 467, 1928.

Wage-Payment Legislation in the United States, Bulletin No. 229, December, 1917. 982

Women's Bureau

Chronological Development of Labor Legislation in Three States, revised December, 1931, Bulletin No. 66–II, 1932.

The Development of Minimum-Wage Laws in the United States, 1912 to 1927, Bulletin No. 61, 1928. 983

History of Labor Legislation for Women in Three States, Bulletin No. 66–I, 1932.

Labor Laws for Women in the States and Territories, Revision of Bulletin 63, Bulletin No. 98, 1932.

Summary of State Hour Laws for Women and Minimum Wage Rates, Bulletin No. 137, 1936. 984

985